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KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL
MEETING
February 8, 1994
TRANSCRIPT OF PROCEEDINGS

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1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

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P R O C E E D I N G S

(On record)

2

CHAIRMAN OLSEN: Good morning. I would like to call the meeting of the Kodiak Aleutian Subsistence Regional Advisory Council to order at this time. With the absence of David Eluska, I'll ask Tom Everitt to make a roll call.

4

MR. EVERITT: Do we have a formal sheet for roll call?

6

MR. TUTIAKOFF: Just read the front.

7

MR. EVERITT: That's what I'm going to do. Herman Squartsoff.

8

MR. SQUARTSOFF: Here.

9

MR. EVERITT: Randy Christensen.

10

MR. CHRISTENSEN: Here.

11

MR. EVERITT: And David Eluska, not present. Mark Olsen.

13

CHAIRMAN OLSEN: Present.

14

MR. EVERITT: Vincent Tutiakoff.

15

MR. TUTIAKOFF: Tutiakoff.

16

MR. EVERITT: Tutiakoff. And Gilda Shellikoff.

17

MS. SHELLIKOFF: Here.

18

MR. EVERITT: And Tom Everitt, here.

19

CHAIRMAN OLSEN: A quorum has been established this morning. I think, first of all, those of you that don't have an agenda, there is one here in our hot pink copy here, on "ii", if you'd like to follow along.

21

At this time I'd like to welcome the guests here: Bob Stovall; Maaike Myers; Frank Pagano; John Morrison; Mary Stadum; Bill Knauer, Laurel, of course, our recorder; and Baig Mishler.

24

At this time I'll turn it over to Bill.

25

MR. KNAUER: Thank you, Mr. Chair. I have two

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different announcements for the Regional Council. I'm pleased to be able to attend. I'm sorry I was unable to attend your first meeting due to conflict with other meetings. At that time I was the Branch Chief for the Branch of Advisory Systems. Within the last month we have had a minor reorganization in our office. I will no longer be in that position, although I will still be working closely with the councils; I will be working primarily on regulations and policies relative to the Federal Subsistence Program.

6 Mike Lockhart will be following behind me. Some of you already know Mike. He has been working some with regulations. He's been associated with the Federal Subsistence Program for a while. And I would also like to announce that Moses Dirks, over here, will be working closely with this council in the role of coordinator for your council. Helga will be devoting more of her time to the Southcentral and Bristol Bay councils, and so Moses will be working here. Moses is in the branch of Publications and Public Involvement, and is a technical writer for us. I think you'll find him very proficient and knowledgeable.

12 CHAIRMAN OLSEN: Thank you. And excuse me, I forgot to introduce Helga Eakon, our leader -- coordinator, and of course Moses. Thank you.

14 Do we have any additions or changes to the agenda?

15 MS. SHELLIKOFF: Mr. Chairman.

16 CHAIRMAN OLSEN: Yes.

17 MS. SHELLIKOFF: I would like to add under New Business the discussion of the Adak caribou herd.

18 CHAIRMAN OLSEN: Is there anything else?

19 MR. EVERITT: I'd like to add the clarification of -- some things were dropped under the new regulations that were published concerning time limits on subsistence fishing, that it was to be sun-up to sun-down and some way they got dropped out of the -- it's not clear in the regulations, so I'd just like to discuss that on fishing hours.

23 CHAIRMAN OLSEN: Where would you like to put that?

24 MR. TUTIAKOFF: Under B there?

25

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1 Business.
2

MR. EVERITT: Just under Any Other New

CHAIRMAN OLSEN: Okay. Is there anything else?
3 At this time I would entertain a motion to adopt the Agenda.

4 MR. SQUARTSOFF: I'll so move that we adopt the
Agenda as amended.

5 CHAIRMAN OLSEN: A second?

6 MR. EVERITT: Second it.

7 CHAIRMAN OLSEN: So moved.

8 MR. TUTIAKOFF: Are you going to leave the
Agenda open for additions if there are any coming from the
floor? Do we have to make a motion to that effect?

10 CHAIRMAN OLSEN: Well, I feel at this time it
was an opportunity for anybody to add anything to the agenda.

12 Okay, I think next we have here the Minutes of the
September 23, 1993 Meeting. What's the wish here, this
morning, to

14 MR. TUTIAKOFF: I'd like to move the reading
and approve the minutes.

15 MR. EVERITT: I second that.

16 MR. SQUARTSOFF: You probably don't want to
read all that.

18 MR. EVERITT: I will, if you want me to.

19 MS. EAKON: Excuse me, Mr. Chair. Herman, did
you make a motion to adopt the Agenda or was there a second to
that?

21 CHAIRMAN OLSEN: Yes, Tom Everitt did.

22 MS. EAKON: Thank you.

23 CHAIRMAN OLSEN: Is there any objection to
waiving the reading of the minutes?

24 MR. SQUARTSOFF: I believe everybody has a copy
of them.

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CHAIRMAN OLSEN: Hearing no objection, so
moved.

3

MR. TUTIAKOFF: We need to approve the minutes
of September.

4

MS. SHELLIKOFF: Second.

5

CHAIRMAN OLSEN: So moved. I guess first here
we have under Old Business, Draft Operations Manual - Comments,
Revisions if any, and Adoption.

7

MS. EAKON: You do have in front of you,
Mr. Chair, a copy of the Final Draft.

9

MR. SQUARTSOFF: We went over this in our
September meeting, and there was some changes that we --
they're supposed to be in there, right? I'm pretty sure.

11

MR. TUTIAKOFF: Mr. Chairman, I haven't had a
chance to read this Final Draft, and I'd like to move this down
the Agenda, maybe tomorrow morning for adoption so I'll get a
chance to review it and make any comments.

13

MR. CHRISTENSEN: I'll second that.

14

CHAIRMAN OLSEN: Yes, I think this is -- I
haven't had a chance to go over the Final Draft myself.

16

MR. TUTIAKOFF: I just received it.

17

CHAIRMAN OLSEN: Okay, where would we like to
put that?

18

MR. TUTIAKOFF: Tomorrow morning at 9:00
o'clock or whenever we start tomorrow morning we could make it
our first item on the Agenda.

20

CHAIRMAN OLSEN: All right. Any objection?

21

MR. TUTIAKOFF: It will give us time to comment
on it.

23

CHAIRMAN OLSEN: Thank you. In case you
haven't noticed, I have a horrible virus here, so please bear
with me. If anybody wants to kick me out of here, I certainly
will understand.

25

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1 The second thing we have under Old Business is
Informational Packet to Regional Village Councils. Helga, do
you have

3 MS. EAKON: No, we just received recently the
copies of the brochure that you may have picked up from the
table. Did each of you receive a copy of the new brochure?

5 MR. EVERITT: No.

6 (Indiscernible simultaneous speech)

7 (Mr. Knauer passes out brochure)

8 MS. EAKON: I had been waiting for the
publication of the brochure before we sent out the
Informational packet. A person in Mary Stadum's branch, by the
name of Perry Edwards -- you worked on it, too, as well, didn't
you, Moses? And Moses Dirks worked on this brochure which I
think summarizes the main purpose of the program and contains
sufficient information. That's what I had been waiting for
before we mailed out this informational packet, and if you look
under item VII. New Business, there's an item on Member
Recruitment. And when we get to that item you will have before
you a packet addressing member recruitment. As you know, two
seats are going to be coming vacant this August. So in this
informational packet we're going to include not only the
brochure but the information on the member recruitment, listing
of regional council members, and the sheet on the roles and
responsibilities of the council.

16

CHAIRMAN OLSEN: These packets, are they just
for the councils, do you have any other

18 MS. EAKON: As you recall, at the last meeting
the Council had requested that information about the program be
sent to the different villages in your region, so each
organization in your village will be receiving this packet.

20

CHAIRMAN OLSEN: I certainly recommend that we
try to get this information to as many possible different
entities in our environments here as it seems a lot of people
will do not understand or even realize that these councils
have been formed and are getting in progress. It really does
seem to be -- I guess they're uninformed or no knowledge of --
the majority of the people that I have contacted. So I
certainly am for any kind of village councils or

25 MS. EAKON: Traditional councils, areawide

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organizations such as KANA, Aleut Corporation, the regional corporations.

2

CHAIRMAN OLSEN: Certainly we do need feedback from the people to do any good work.

4 MR. SQUARTSOFF: Mark then, you or David send Helga a list from KANA with all the villages in our region.

5

CHAIRMAN OLSEN: Yes, Maaike here did get it to me, and I did get it to Helga.

7 MS. EAKON: Yes, I do have it. Thank you very much.

8

CHAIRMAN OLSEN: Is there anything else under the Old Business?

10 MR. CHRISTENSEN: I was wondering if -- Mr. Chairman, I was wondering if you were talking -- are you talking about the different councils like the tribal councils and city councils, do you have those names and addresses in our respective regions -- is that what you're talking about to send these packets out to?

13

MS. EAKON: Right.

14

MR. CHRISTENSEN: You have all those so you don't need any more input on that?

16 MS. EAKON: Well, when Moses starts working on this mailing list, I guess what he could do is call each of you and make sure that no entity is omitted. How is that?

18

MR. CHRISTENSEN: Okay.

19 MR. SQUARTSOFF: Well, is it possible that we can -- Moses can bring what he has tomorrow and we can go over 20 real quick and make sure nobody is getting left out in our region, you know, the mailing list that he has, if that's possible.

22 MS. EAKON: Okay. Yeah, it's in my office. I could do that.

23

CHAIRMAN OLSEN: How about in the your area, is there any councils or

25

MS. SHELLIKOFF: I gave her addresses.

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MS. EAKON: Yes, Gilda did send me a listing of traditional councils, and I do have that list.

3

CHAIRMAN OLSEN: Is there anything else here on the Informational Packet as it stands here today? Hearing done, I guess that takes us into New Business. At the top of the agenda there is Administrative Matters, which of course -- Helga.

6

MS. EAKON: Thank you, Mr. Chair. I'm very pleased to announce that the administration of the program has approved a calling card for each chair of each regional council. So I think during a break I will hand that to you along with the instructions. Did you have anything else to add to that, Bill?

9

MR. KNAUER: No.

10

MS. EAKON: Okay.

11

MR. TUTIAKOFF: That's a calling card for the Chair?

13

MS. EAKON: A calling card for the Chair, along with a log so that if at any time you need to pole the members of the council or call me, you'll have that accessible to you, and when your term is up, that will go to your successor. This is a start in -- start of a process, we hope, that will bring to fruition -- you had some concerns about communications amongst -- you know, with each other and amongst each regions -- regions at the last meeting. So hopefully this is a start of that process that will help aid that.

18

CHAIRMAN OLSEN: I can kind of see it's aimed at the Chair to reach out then.

19

MS. EAKON: Yes.

20

MR. TUTIAKOFF: As members we can call him collect there, right? You know, we'll have to call him right now.

22

CHAIRMAN OLSEN: I kind of gathered that it's one person versus the council.

24

MR. SQUARTSOFF: Mr. Chair, Helga, you should be able to set up -- you might be able to set up conference calls with all of us council members that way.

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MS. EAKON: I don't see why not.

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MR. SQUARTSOFF: Because the problem we have in October, we were supposed to go over the proposal we wanted to submit -- we couldn't get together weatherwise, you know, kept us out of it. So that would have helped us right there. That sounds like it is a good idea.

5

MS. EAKON: And during AFN I know I saw a committee was supposed to have met but it didn't.

7

CHAIRMAN OLSEN: It's been, to say the least, to get a time where everybody can commit the time. I realize that we are all busy. We certainly need to have the means to be able to communicate as a committee.

9

MS. EAKON: Also another option regarding conference calls is that Moses could do that from our office.

11

CHAIRMAN OLSEN: Set it up.

12

MS. EAKON: All you have to do if you want one is call our 800 number and then he could set it up.

13

CHAIRMAN OLSEN: Okay.

14

MS. EAKON: Please fill out your travel forms. I do have an itinerary form and travel voucher. Because the program is paying for your hotel room, we don't need a receipt, but I am going to need to two forms, so before the meeting has ended, please make sure that I have those forms.

17

And another item is that M&IE, meals and incidental expenses, allowance for Anchorage used to be \$66. It has now been lowered to \$58, I want you to be aware of that, just very recently. That's for meals and, you know, incidentals -- things like tips.

20

That's all I have for administrative matters, Mr. Chair.

21

CHAIRMAN OLSEN: Thank you, Helga.

22

MR. CHRISTENSEN: Excuse me. The forms, are you talking about the travel authorization form and which other form?

24

MS. EAKON: I didn't have an opportunity to give one to you, Randy, but during breaktime I'll do that.

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MR. CHRISTENSEN: Okay, thank you.

2

CHAIRMAN OLSEN: I guess that takes us to VII. B., Information Exchange - Opportunity for Council and Staff to share subsistence-related information in the regions and the state.

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MS. EAKON: Council first.

6

CHAIRMAN OLSEN: Are there any comments on that?

7

MR. TUTIAKOFF: I'd like to hear from somebody, maybe they can clarify the federal subsistence takeover in navigable waters in regards to how it affects us in our areas, if any at all. I know a court case has been going, but I understand there's been a decision by a lower court or something. I'd like more information if staff has that available.

11

MS. EAKON: Mr. Chair, I have a sheet from Jim Kurth, who is deputy assistant, Federal Subsistence Management Office that describes very briefly what that court case was about. And for the record, Mr. Chair, I'll be very -- since it's very brief, I'll be happy to read it for the record.

14

CHAIRMAN OLSEN: Thank you, Helga. Please do so.

16

MS. EAKON: This is "Update on Subsistence Litigation - February 8, 1994. The most important subsistence litigation before the US District Court for Alaska is the consolidated case of Katie John versus United States of America, and State of Alaska versus Bruce Babbitt, Secretary of the Interior. There are two key parts to these cases. The first has been described by Judge Holland as the 'who' question. The second is described as the 'where' question. There have been recent developments on each question. There have been recent developments on each question.

21

The 'Who' Question. The State of Alaska contends that the Alaska National Interest Lands Conservation Act (ANILCA) does not give the Secretary of the Interior authority to directly regulate the subsistence uses of fish and wildlife on public lands. The Federal government disagrees. Judge Holland issued an order on November 19, 1993 that indicated he was seriously considering the State's view that the legislative history of ANILCA shows that Congress did not intend the Federal

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government to directly manage subsistence. He also stated the court's concern that this matter had not been adequately briefed. He ordered supplemental briefings on this issue. These briefings were filed in mid-January. The matter is now before Judge Holland for his consideration and decision.

4 The 'Where' Question. This question concerns whether navigable waters are considered to be public lands as defined by ANILCA. If they are, the subsistence priority found in Title VIII would apply to navigable waters. The Federal and State government position has been that because the title to the lands underlying navigable waters generally belongs to the State, the navigable waters are not considered as public lands. Katie John and the other plaintiffs disagree, and believe that Congress intended for the subsistence priority to include navigable waters.

9

Judge Holland issued an order from chambers on January 13, 1994 scheduling oral arguments on this issue for February 4, 1994. He included a proposed order for the attorneys to review, based on the court's initial evaluation of the issues.

He has not yet made a decision on this case. His proposed order provides insights as to what Judge Holland is considering. If he were to issue this order as proposed, it would have major implications for subsistence management. The proposed order concludes that all navigable waters and coastal waters within the three-mile territorial limit would be considered public lands for the purposes of ANILCA's subsistence priority. The Federal government has not yet established a position on how it would respond to such an order from the court. The State and Federal governments asked for additional time to prepare their arguments, and the Judge rescheduled oral arguments for March 18, 1994."

18 Did you have anything -- for the record, may I introduce Jim Kurth and Dick Pospahala, who just came in. I read your statement on the update on the litigation. Did you have anything else to add to that?

20

MR. KURTH: I don't think so.

21

MS. EAKON: Okay.

22

MR. KURTH: We just were scrambling this morning. Our North Slope Advisory Council that was meeting in Kaktovik lost their quorum after our staff departed, so we were trying to turn around various airplanes this morning, so I apologize for being late. It's good to see you all anyhow.

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1 CHAIRMAN OLSEN: Thank you. Does that give you
any answers, Vince?

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MR. TUTIAKOFF: Yeah. That's a good update. I
was looking at maybe trying to get an answer or some kind of an
indication where it would affect this subsistence advisory
board and what kind of -- you know, implication or how long-
term it's going to be.

5

MR. POSPAHALA: May I respond to that? I'm not
sure what the initial question was. Is this in relation to the
proposed disposition by Judge Holland?

7

MR. TUTIAKOFF: Right. That was in relation to
the -- what would happen if -- how it would affect this board
if the navigable waters were to become a federal property.

9

MR. POSPAHALA: Are you having trouble picking
this up? I could move up here to the microphone, if you like.

11 COURT REPORTER: Please do so.

12 MR. POSPAHALA: I don't know whether Helga
reviewed with you the substance of the Native American Rights
Petition that was submitted to the Secretary last July.

14 MR. TUTIAKOFF: No.

15 MR. POSPAHALA: Basically -- okay. Basically
that petition was a request of the Secretary of the Interior
for a rule to enter into the rule-making process to engage the
Federal government jurisdiction to the navigable and
territorial waters of the state. When the Secretary initially
received that petition he indicated that he would take it under
advisement and would be back in touch with the petitioners at a
future date. In the meantime Judge Holland issued his proposed
order in the Katie John case. So there are really two things
going on here at one time.

20

One of them is that the Department of the Interior and the
Department of Agriculture are still considering whether or not
they want to exert jurisdiction in these areas, and at the same
time the Federal District Court is trying to decide whether or
not the Federal government in fact would have jurisdiction in
those areas if they chose to exercise it.

24 We foresee almost innumerable problems for the Federal
government if we are in fact either directed as a matter of
policy by the Secretary to enter into this area of fisheries

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management or if we are directed to go in that direction by the Federal District Court. We think that such a proposition would be extremely expensive. The State, in our best estimate, right now spends something on the order of \$43 million a year in managing an adequate and sufficient fisheries program in the state of Alaska. The relationships between subsistence harvest and especially commercial fishing would be a particularly problematic area for us to work in, especially in view of the fact that we have virtually no federal staff at this point in time that have the experience or the professional training and management experience in working in an issue of this sort anywhere, much less specific to Alaska. We would probably try to work out an arrangement with the State. There could be some fairly significant impacts on various commercial fisheries, especially this council could imagine, I think.

9 So at this point, we're waiting both for a policy decision in Washington and for the Federal court to make their decision. 10 There's no -- we have absolutely no knowledge of when Judge Holland might rule. It's likely that the Interior Department position will be established prior to the time that he's scheduled a hearing on this -- on the issue -- on his proposed order in the Katie John litigation. So sometime between now and the middle of next month certainly the department will at least have made their policy call on it.

14 Did that help a little bit?

15 MR. TUTIAKOFF: Yeah.

16 MR. KURTH: Vince, I might add, I think you were asking in relation to the Council's activities, too. I'm sure there'd be a change where the Federal government would be involved in navigable waters, but this council would be commenting, making recommendations to the board on matters pertaining to fisheries issues and how navigable waters.

19

MR. TUTIAKOFF: Yeah, in relationship to more meetings for many of the council who are fishermen they'd have to consider that.

21

MR. KURTH: No doubt the scope of the program would be tremendously expanded and we'd have to reflect on a lot of, you know aspects of it. Certainly the demands for council meetings would increase. This region is a good example of one that would increase very dramatically because of the Navy relation to fisheries and navigable waters. It would make the world a lot more complicated than it is right now.

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1 CHAIRMAN OLSEN: Do you feel that this might
open doors for some type of negotiations with the State, they
might be able to reach a decision of rural preference as
described in Title VIII?

3

MR. POSPAHALA: I think it's likely that in the
next few weeks we'll see a revisited emphasis -- or effort on
the part of the Federal government, to approach the State
Legislature and things of that sort to encourage them to
accommodate a recompliance with Title VIII of ANILCA.

6

CHAIRMAN OLSEN: I just wondered how they would
overturn an unconstitutional rule is where my thoughts are.
Thank you.

8

MR. SQUARTSOFF: Yeah, Mr. Chairman, on that,
you know, I can kind of see where, you know, it would be a lot
more complicated and all that, but in the long-run, I can see
where it would help us a lot in our region. You know, it's a
coastal community we're in and everything, and I wouldn't want
to see what happened with the guys up in the Yukon or whatever
on the dog salmon thing happen to us down there. You know
there's so many different salmon streams and everything down
there. If something like that happens to us, we're stuck. You
know, they can cut us off on subsistence. If it does get
passed to us to where we can do that, I think it would help us
in the long-run and possibly, hopefully that -- if we get
control of that it would help maybe the State in the long-run,
let them start thinking and turn around, you know, and see
what's going on, you know, in the areas and stuff like that.
Cause I hate to see our subsistence shut down. That's one of
the mainstays of our lifestyle is on the water in our area. So
I think it would make a lot of difference.

18 MS. SHELLIKOFF: Mr. Chairman.

19 CHAIRMAN OLSEN: Yes, Gilda .

20 MS. SHELLIKOFF: Also long those lines, if the
Federal Government does take over, you know, everything is
going to be controlled by the people in Washington, and we will
have less say on what happens with -- 'cause they'll be under
so much pressure with the environmental groups and other
special entities, and a lot of people in Washington don't know
what's going on up here. They don't know the area, they don't
know the people.

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MR. CHRISTENSEN: I agree with that totally. I
believe that the control should be as local as possible.

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CHAIRMAN OLSEN: I certainly feel that way also. It does have a lot of pros and cons on it as we can look at it as it is today. I don't know one thing that comes to my mind is with the continued pressures from the sports side and their requests, I can't help but see allotment type issue coming before us in the very near future. Should it take this direction we need to be prepared for it either way the ruling goes.

6 Is there any more information or questions anybody would care to address at this time?

7

MS. EAKON: Someone in our office is Xeroxing a copy of Judge Holland's tentative order, and maybe after lunch we'll be able to distribute it to you.

9

CHAIRMAN OLSEN: Hot off the press?

10

MR. SQUARTSOFF: Yeah, Mr. Chair, on that, too, oh B it says the State's Annual Report. Do we have that?

12

MS. EAKON: No, that's VII. B?

13

CHAIRMAN OLSEN: C.

14

MS. EAKON: VII. C addressed the Council's Annual Report. In regard to another item under VII. B, Information Exchange, I wanted to mention the Kenai C & T Report and Draft Conclusions, however, I would like to suggest that that be discussed under New Business, under H.3., -- H.1. being on Adak Caribou Herd; H.2. being Clarification on the New Regs that Tom Everitt brought out; so H.3. would be Kenai C & T.

18

MR. CHRISTENSEN: I'm sorry. What was number

39

MS. EAKON: Kenai Customary & Traditional Report and Draft Conclusions.

21

CHAIRMAN OLSEN: Was that to take place of C?

22

MR. TUTIAKOFF: After Any Other New Business, following that.

24

CHAIRMAN OLSEN: Okay.

25

MR. CHRISTENSEN: Mr. Chairman, back to this

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Who Question. I'd just like to mention that if the federal gets control over the navigable waters I'm sure you know there's a chance the sea lions could come under endangered species rather than threatened, and if the Federal government gets control of that, it's going to be much harder subsistence of sea lion to be -- you know, still be available. So that's one good -- I think that's one good argument for keeping it local. Right now, you know, you can subsist for sea lion, but if it goes to endangered, I'm not sure if that subsistence will still be available, especially if it's controlled by

6

CHAIRMAN OLSEN: Can anybody

7

MR. CHRISTENSEN: federal.

8

CHAIRMAN OLSEN: address that?

9

MR. POSPAHALA: There would not be anything involved in that decision that's currently before the court relative to -- at least the who or the where issue that would affect administration of The Endangered Species Act. That would be completely separate and apart from any of the Federal District Court actions on that outstanding litigation. So it wouldn't have any bearing on that issue at all.

13

MR. TUTIAKOFF: Craig Mishler.

14

CHAIRMAN OLSEN: Yes, Craig.

15

MR. MISHLER: I would just like to add that under present law the National Marine Fisheries Service is the administrative agency for those species like harbor seals and sea lions, and harbor seals are also in trouble, as you know, and could provoke some kind of a listing in certain portions of its range as threatened. But I see the Federal government managing those species, and the state has deferred from managing those in the past, and will continue to do so. For what reasons, I'm not sure. The state seems to decline to manage those species.

21

CHAIRMAN OLSEN: That is most of the marine mammals, correct.

22

MR. TUTIAKOFF: I guess I have a question for you, Craig. Is there an ongoing survey for sea lion and harbor seal that's going to be updated this year?

24

MR. MISHLER: Yes, you're part of it.

25

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1 MR. TUTIAKOFF: When is the whole area of the
Aleutian/Kodiak going to be done? I know the draft proposals -
2 survey has been completed. Is that it then?

3 MR. MISHLER: Well, we finished round one of
the second year just recently and there will be another round
4 of surveys done in early May, and we probably will not put out
a report until both rounds for the second year are finished,
5 and this is funded by National Marine Fisheries Service, and I
have it upon good account that they're interested in continuing
6 this onto a third year.

7 CHAIRMAN OLSEN: Has there been any studies or
anything relative to marine mammals such as the sea lions and
8 seals versus the fishing efforts? As I look back through time
and watching a lot of our different fisheries go from huge
9 industries that could never be damaged to nonexistent fisheries
anymore -- and I relate this to since they started the dragging
10 of pollock and cod and that, I feel some of the main diet of
these marine mammals, that you exhaust their food source and --
11 I know if you would exhaust mine, I wouldn't hang around. But
I just wonder if there's been any studies relative to that.

12

MR. KURTH: If there has nobody here is aware
13 of that.

14 CHAIRMAN OLSEN: That's just one thing I
see

15

MS. MYERS: It's logical.

16

MR. PARKER: Right.

17

MR. CHRISTENSEN: I believe there's studies but
18 it's just that the industry is so huge that it gets on the back
burner, but I think there's quite a few scientists who are
19 aware that the sea lion population drop is due to heavy fishing
of the -- well, one species is pollock.

20

MR. MISHLER: There is a sea lion recovery plan
21 that was approved by the council of appointees under the
National Marine Fisheries Service, and that has gone to
22 Congress, I think, for approval. I don't know what its status
is, but this was completed over a year ago. And their
23 conclusion, if I can just paraphrase it, was there was no
direct evidence of the trawler industry directly or indirectly
24 causing a decline in the sea lions, but at the same time they
recognized that there are certain critical habitat around the
25 sea lion rookeries that provide food supply for sea lions, and

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those rookeries now have buffer areas. So there is some recognition of cause and effect there, but it hasn't been widespread enough to cause anything more than that restriction on, I think it's three-mile limits around the rookeries. Somewhere I think there's a 10-mile limit dragging.

4 CHAIRMAN OLSEN: But that is something that I see that this council can address here in the future as we see a lot of these dictations by economics instead of biological reasoning, and so we have experienced

6 MR. CHRISTENSEN: I believe the correlation is there, and also the sea lion, you know, if you have three miles or 10 miles, you know, they travel quite a ways throughout the 8- unless they're during their mate or running period, whatever you call it. They travel the rest of the year quite a bit so that three miles or 10 miles doesn't make a heck of a lot of difference. It's kind of a tough one for me 'cause I'm also in the fishing industry.

11 MR. TUTIAKOFF: Take a break? Would you go for a five, 10-minute break?

12 CHAIRMAN OLSEN: Okay. A break has been called for.

14 COURT REPORTER: Off record.

15 (Off record - 10:00 a.m.)

16 (On record - 10:18 a.m.)

17 CHAIRMAN OLSEN: I'd like to call this meeting back to order, please, if you will. We were under, I guess, going on to the Annual Report '93 and '94, and if we would, I'd like to put that also down under H.4. and 5. respectively, please. I know we're accumulating a lot of H's here, but we'll get through it.

20 MR. TUTIAKOFF: Are you moving C. and D. down?

21 CHAIRMAN OLSEN: Yes. I think it takes us down the Charter Renewal and Review. Helga, would you like to

23 MS. EAKON: Amongst the papers in front of you you should have a two-page sheet on Federal Subsistence Regional Advisory Council Charter. Do you have that little summary sheet?

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1

MR. TUTIAKOFF: It's right here.

2

MS. EAKON: However, before we go into this, Mr. Chair, I would like to acknowledge a guest who was not acknowledged previously. Mr. Dennis Metrokin, who is chair of Koniag, and also works with Alaska Native Employment Network. We're happy to have you here.

5

MR. METROKIN: Thank you.

6

CHAIRMAN OLSEN: Nice of you to be here, Dennis.

8

MS. EAKON: The summary essentially is exactly that, it summarizes the charter provisions, and as you know, at the last meeting we spent quite a bit of time -- I think David Eluska read all the key points of the charter. What you should focus on the flip side of page one, Charter Renewal. This Council operates under the guidelines of the Federal Advisory Committee Act. There is a two-year limit imposed on advisory committees, and since -- Bill, can you speak to this, please? Thank you.

13

MR. KNAUER: Thank you, Helga, Mr. Chair and council members, as Helga mentioned the Federal Advisory Committee Act requires that charters for advisory groups whether they be called councils, committees or boards or whatever, be renewed every two years unless it's otherwise specified in the enabling legislation, and in this case there was no additional specification in ANILCA, so there is a requirement for rechartering or charter renewal every two years, and it's based on the date of the passage of the enabling act which in this case ANILCA was passed December 2 of 1980, and so a two-year anniversary would mean on December 2 of the even number years there would be a requirement for it to be rechartered. Because of the length of time that this process takes, starting with recommendations from the regional councils to the board and then to the Secretary, that's why we're starting this now.

21

Some of the items in the charter are set either in the act or in regulation, and so therefore they are really not subject to change, but there are certain items which this council could recommend for change: A name change, a boundary change, the size of the council, a specific appointment requirement to the Subsistence Resource Commission, and the criteria for removing a member. For example, the Eastern Interior Regional Council felt that the current statement relative to the removal of a

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member talks about if a member misses three consecutive regularly scheduled meetings and they felt that with a council member having a three-year appointment with two meetings per year that would be half of their responsibilities would be abrogated, and so the Interior Regional Council recommended that the charters be changed to reflect missing two consecutive meetings. Of course that would be without an excuse. We recognize that there are certain limitations either due to weather or sometimes major commitments elsewhere, but -- and again that particular provision does -- it is a permissive type thing where the board, the council, can recommend. It doesn't say they have to. So that was the one change that the Interior Regional Council suggested. I'm not necessarily saying that you would want to make the same recommendation; there may be others. You may feel very satisfied with the charter you're operating under right now. That's your prerogative.

9

MR. TUTIAKOFF: Let's see, when is it due on December 2, and when was our next meeting? This has to be approved at this meeting, the new charter?

11

MR. KNAUER: You would be making recommendations for the charter changed at this meeting because then we have to prepare the revised -- what would be recommended to the Secretary as revisions. The Federal Subsistence Board has to approve those recommendations and forward it to the Secretary, and then the Secretary's office has to review it, and it takes a considerable amount of time for the review process before the Secretary actually signs it.

16

MR. CHRISTENSEN: Mr. Chairman.

17

CHAIRMAN OLSEN: Yes, Randy.

18

MR. CHRISTENSEN: Well, on these five things that can be changed, I don't have it right now any idea what all of these exactly are, like for criteria for removing which -- there was a

20

MR. TUTIAKOFF: It's under Section

21

MR. CHRISTENSEN: I don't recall seeing this one here.

23

MR. TUTIAKOFF: under

24

MR. CHRISTENSEN: Okay, I'm sorry.

25

MR. TUTIAKOFF: Under Section 9 there it says

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three consecutive meetings.

2 MR. SQUARTSOFF: Mr. Chair. I'd like to
recommend right now, since we're on this subject and we're
going through our agenda pretty fast, why don't we just go
ahead on our Operations Manual and look over the Council
Charter and see if we want to do any changes or anything.

5 CHAIRMAN OLSEN: I certainly think that would
be in order.

6 MR. CHRISTENSEN: Would you rather just wait
for tomorrow; that's what we were going to do, right?

8 MR. SQUARTSOFF: Well, no. I mean just for the
charter review -- renewal and review right now while we're on
that on the agenda. We're eating up that agenda pretty fast
and putting everything for tomorrow. We need to do something
today. Even if we go over it page by page on the Charter,
there's only three pages on it.

11 MR. KNAUER: For your information, Council
Members, the paper that you have -- that two or three-page
paper with the border around it is pretty much taken from your
Operations Manual.

14 MS. EAKON: Do you each have a copy of the
Charter for your records?

15 CHAIRMAN OLSEN: Isn't it on page 13 here on
the Final Draft?

17 MR. SQUARTSOFF: You might as well use the one
you mentioned right here.

18 MR. KNAUER: That's just a summary.

19 CHAIRMAN OLSEN: It's a summary?

20 MR. TUTIAKOFF: This is a summary of that, on
page 13.

22 MR. KNAUER: Right. That addresses actually
what is in the Charter as proposed to the exact working. You
all received a copy of the original Charter at your last
meeting and I notice a couple of you have your big notebooks;
there is a copy maintained in that.

25 MR. SQUARTSOFF: I think Helga is going to get

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a copy.

2 MR. TUTIAKOFF: I have a question on this under
border change. Aren't the border changes set by --

3 CHAIRMAN OLSEN: Boundary?

4 MR. TUTIAKOFF: the boundary changes,
aren't they set by the government? I mean how can we change
the boundaries?

6 MR. KNAUER: If you felt

7 MR. TUTIAKOFF: How can we possibly say drop
and area, pick up an area?

9 MR. KNAUER: If you felt that there was a
significant reason to change one of the boundary lines then the
appropriate process would be to discuss it among yourselves and
submit correspondence to the adjoining regional council with
your position, and it would have to be something that would be
a mutually agreeable and justifiable situation. Just for
general information, the borders or boundaries of regional
councils were derived from a number of mechanisms. One, we
took a look at the general resources that were in the area and
tried to group them together within a region. Also the use of
those resources we tried to group. We tried to group socially
similar cultures and peoples and populations. We also had the
constraint placed upon us that most of the biological data in
the State is collected along the lines of State game management
units, and so to facilitate making decisions relative to
seasons and bag limits and harvest and things like that, it was
necessary to stay, for the most part, along either a GMU or
sub-unit boundary.

18 In one particular case, up here in the northwest Alaska
the boundary comes out to the Chukchi Sea, and there was a
request by the community of Point Hope that the boundary be
moved to the south because culturally and resources use they
associate primarily with the North Slope rather than with the
Northwest Arctic area, and so in that particular case there was
a boundary change based upon public request, and that's one of
the few places where it does not follow State game management
unit boundaries.

23 MR. SQUARTSOFF: Mr. Chair, I wouldn't mind
reading over this charter, you know, go along with it for
everybody on the Council and see if we want to decide to do any
changes or anything at all on it in David's absence, since it's

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not that long.

2 CHAIRMAN OLSEN: Certainly, I think we can
handle that, can't we, Tom?

3 MR. EVERITT: Yeah. Do you want me to read it
slowly?

5 MR. SQUARTSOFF: Either that or I can.

6 MR. EVERITT: Okay. Number 1, Official
Designation: The Council shall be designated as the
Kodiak/Aleutians Subsistence Regional Advisory Council.

8 Number 2. Objectives and Scope of Activity: The
objective of the Council is to provide an administrative
structure that enables rural residents who have personal
knowledge of local conditions and requirements to have a
meaningful role in the management of fish and wildlife and of
subsistence uses of those resources on public lands in the
region.

12 MR. SQUARTSOFF: Mr. Chair, Tom. What I kind
of thought we'd do is go down, read each one, and see if we
want to decide to make any changes or anything to it or not, do
it at the same time. Does that sound okay?

14 CHAIRMAN OLSEN: That's sounds like the
appropriate order to me. Is there any, I guess, changes
requested by the designation of Kodiak/Aleutians Subsistence
Regional Advisory Council?

17 MR. SQUARTSOFF: I don't have any on that one.

18 CHAIRMAN OLSEN: I guess we can carry on with
the objective and the scope.

19 MR. TUTIAKOFF: I understand we can't change
that, can we?

21 (Indiscernible - simultaneous speech)

22 MR. TUTIAKOFF: We can't change that, can we?

23 MR. KNAUER: There are certain things within
the Charter that are

24 MR. CHRISTENSEN: On the second row of items it
says that among items there are set in regulation are the first

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item, the scope of activities.

2 MR. KNAUER: That's correct.

3 MR. CHRISTENSEN: So as I understand number 2,
we can't do anything with it.

4 MR. KNAUER: That's correct.

5 MR. CHRISTENSEN: We we could just keep on
going on that one there.

7 CHAIRMAN OLSEN: Thank you, Randy.

8 MR. EVERITT: Continue reading?

9 CHAIRMAN OLSEN: I guess I see number 3 as
being applicable, too, the duration of the Charter or it it the
time necessary?

11 MR. EVERITT: Did you want me to continue
reading?

12 CHAIRMAN OLSEN: Yes, please.

13 MR. EVERITT: Okay. Period of Time Necessary
for the council's Activities and Termination Date: The Council
is expected to exist into the foreseeable future. Its
continuation is, however, subject to rechartering every
biennial anniversary of the Alaska National Interest Lands
Conservation Act of December 2, 1980. The Council shall take
no action unless the requirements of the Federal Advisory
Committee Act have been complied with.

18 Nothing we can change there.

19 CHAIRMAN OLSEN: May I just ask what it's going
to involve; what does the charter require, a renewal of the
Charter?

21 MR. KNAUER: We have to send a -- this document
actually for each of the 10 councils to Washington, D.C. where
it is reviewed by the Fish & Wildlife Service who sees our
charter under the auspices of Fish & Wildlife Service. It's
reviewed by the departmental solicitor, the lawyers for the
Secretary to assure that it is in compliance with the Federal
Advisory Committee Act and ANILCA, and then it's -- because
this is a multi-agency program it is reviewed by each of the
five agencies and then it goes to the Secretary of the Interior

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for his signature.

2 CHAIRMAN OLSEN: Can this be rejected by any of
the departments? If so, what would be appropriate steps to
take should they be opposed?

4 MR. KNAUER: It's very unlikely because it was
approved and signed before. A charter renewal is of a much
lower level of controversy than the chartering of a new
council. These charters went through a number of wording
changes before they finally met everyone's approval before.

7 CHAIRMAN OLSEN: Is there anything else on the
period and time necessary for the Council's activities? Can't
change that. I guess we can go on to number 4.

9 MR. EVERITT: Number 4. Official to Whom the
Council Reports: The Council reports to the Federal
Subsistence Board Chair, who is appointed by the Secretary of
the Interior with the concurrence of the Secretary of
Agriculture.

12 I think I'll just keep reading. We can't change any of
those until we get the

13

MR. SQUARTSOFF: I made a mistake on that.
It's my fault. I didn't pay attention to the renewal down here
when I stated what I did, you know, making any changes and all
that. Just go ahead and skip down to the parts that we can
change.

16

MR. EVERITT: And what part of that is that?

17

MR. SQUARTSOFF: That would start on -- the
next one would be -- let's see, that one would be 9.

19 MR. EVERITT: Okay. We can change meetings,
too, correct, number of meetings?

20

MR. SQUARTSOFF: I don't see that in there.

21

MR. EVERITT: Number 8?

22

MR. KNAUER: That's currently a regulation that
there be at least two meetings.

24

MR. SQUARTSOFF: All right.

25

MR. KNAUER: It doesn't say that there might be

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more, based upon needs.

2 CHAIRMAN OLSEN: It gives a minimum, not a
maximum.

3 MR. KNAUER: Right.

4 MR. EVERITT: Membership. The Council's
membership shall be as follows: Seven members who shall be
knowledgeable and experienced in matters relating to
subsistence uses of fish and wildlife and are residents of the
region represented by the Council.

7
Members shall be appointed by the Secretary of the
Interior and the Secretary of Agriculture, based upon the
recommendations of the Federal Subsistence Board.

9
Vacancy. Whenever a vacancy occurs among Council members
appointed under paragraph 9, the Secretary shall appoint an
individual in accordance with paragraph 0 to fill that vacancy
for the remainder of the applicable term.

12 MR. SQUARTSOFF: I'd like to comment on that.
I'd like to ask Mr. Chair, Vincent and Gilda how they feel if
you guys are -- the two of you are enough to -- for your region
down there since you have such a big area down there. The
Aleutians, if you guys feel you're able to carry the -- what to
you call it, for representing your area.

15
MS. SHELLIKOFF: I personally feel because it's
a big area, it's so spread out and it is so expensive to travel
in between areas, perhaps we should have more representation
from that area, but I don't know how that would affect the
budget -- for this operating budget, but, you know, it is hard
because of -- there's no inter-flights between the islands or
in between communities. You have to charter, so there's not
much traveling between the communities.

20 CHAIRMAN OLSEN: I certainly look at that
myself and have wondered the same since the Council has been
formed. As we can sit here we can see Kodiak Island pretty
much represented in small size but this is the Kodiak/Aleutians
Council, and I do look at the distance between the Aleutians.

I don't quite know how you feel about getting into the other
communities and their input, how are they regional at this
time.

24
MR. TUTIAKOFF: Well, I think at the last
meeting I brought up the fact that Gilda more or less

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represents the areas between Unimak Pass to Sand Point, and in the Unalaska and Dutch Harbor, Akutan, Nikolski -- in Nikolski there's only like 20 people, and Anatka there's 60 at the high number. So Unalaska, between St. Paul and St. George we have meetings in Unalaska probably at least once a week and maybe every two weeks between St. Paul and St. George. There's daily flights to Unalaska that you have meetings for various reasons, for city, government, Fish & Game Advisory Boards, they all go to Unalaska. It's kind of a meeting place. And I pretty much meet with people from St. Paul and St. George on issues other than subsistence, and I feel the communication between the Pribilofs and Akutan and Unalaska is pretty well covered. But what concerns I have is when there is something from say Akutan, which is another big port that's growing, and like St. Paul, their concerns are, you know, to have a meeting with say myself or to bring up an issue here. They have to come to Unalaska to do that, and a lot of times you try to make it so they're doing their business and then we meet together to discuss it. But it seems to be working right now.

11 If things do get really hectic and the Federal Subsistence thing does pull through, I would encourage expanding the area to include one membership from Sand Point, one from Akutan, and one from St. Paul, because those are the three major ports of the fishing industry, and I don't know right now where it would benefit us. I mean we get radio, television and everything between the communities right now.

15 The biggest issue is what is the Federal Subsistence Advisory Board? I mean I've been in Nikolski and I've talked to them. They don't even know what this board was for or what it was formed for or it's kind of like a new thing for them, and I've been having problems explaining it, and they're really interested in how this will work for them.

18

MR. SQUARTSOFF: That's why, Mr. Chair, I brought it up. I'd like to -- you know, I'd like to recommend to Council that we recommend to staff or whoever we need to that we need to expand our council membership to at least two more to get two more people out of the areas like Vincent was mentioning, especially like the Pribilofs, you know, and then one other area where it wouldn't be so hard for the two of you to try to get all these people together all the time.

23 MR. KNAUER: Mr. Chair, one thing that I might mention is that currently your program concerns primarily terrestrial mammals, and as a result, after you get beyond Unalaska there is essentially minimal subsistence of the use of terrestrial mammals out there. If the emphasis is on the

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marine resources and the marine mammals, then I think you had a very good point that if in fact the Federal government either by secretarial decision or court decision ends up with the navigable waters and marine resources, that would be very strong justification.

4 MR. TUTIAKOFF: I think that was what I was saying is that right now until that decision is made, I think I'm satisfied with the representation that I give to the region.

6 MR. CHRISTENSEN: Mr. Chair, I'd just like to 7- I'm not exactly sure what criteria was used to set it up as it is now, and if it is based on a user population or a number of communities, exactly what the criteria was, and if that shouldn't be considered so that nobody's not -- so that all communities are represented equally. Like for population of number of communities or

10 CHAIRMAN OLSEN: I think what you're getting at 11 how

12 MR. CHRISTENSEN: How it was set-up originally, what came to that.

13 CHAIRMAN OLSEN: I believe that was just -- go ahead, you can

15 MR. KNAUER: I can address that, 'cause I was intimately involved with it. Initially in discussions in our office and as a result of the Environmental Impact Statement, that process, we ended up with the 10 regions as a compromise between the eight that was recommended in the Environmental Impact Statement, and the 12 that was also one of the alternatives. Eight was -- or excuse me, 10 was chosen, and then after the regions were chosen to determine the number of members on each council, I personally contacted the state coordinator for each of the state regions, I contacted the state regional council chairs, I contacted community and regional leaders in each region, I contacted federal agency managers in each region, and I essentially asked them two things:

22 What would be an appropriate size for a regional council 23 in your region to adequately represent the people and, secondly, would not be either too small or too large to be 24 workable.

25 And from all of the individuals that were contacted within

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Each region then I took a consensus, and one of the requirements that we imposed -- I put it in myself, was that each council would be an odd number so that in the event of a vote of any kind you would not have a tie vote. And that's where it came from.

4 And then as far as the exact individuals that are sitting on the Council we solicited application and nomination throughout the region. We did not try and say, okay, we're going to have X number of people from Kodiak Island, and we wanted one from Unalaska or something, we solicited -- and this was the same throughout every region, we blanketed the state with mail-outs, with phone calls, with personal contacts to individuals, to organizations, to village councils, tribal councils, federal agencies, asking for applications. And then from those applications there was a panel assembled, composed of a representative from each of the federal agencies having lands in that area, and an individual from the Subsistence staff to facilitate the meeting.

11 Usually what the panels did, they didn't all operate the same way, but usually what they did is they said, okay, in -- we'll say this particular region, we feel there needs to be representation from these general areas. And then they look at the application, they rated the individuals based on their application and references and phone calls to, again, local community leaders and so on to determine how they were regarded in the communities, the credibility they had, the respect, and that's how the members were then selected.

16 In this region it was felt that because of lack of terrestrial resources and the small population that there would be one individual that would sort of represent the chain in the Pribilofs, and one for the lower end of the -- one or two from the lower end of the peninsula, and then because of the population and the major -- the majority of resources on the Kodiak archipelago that there'd be one or two people from the road system and one or two people from the non-roaded system, preferably far and lower in the Kodiak Island and someone from the center. That's how both the system worked and how this council was selected.

22 MR. CHRISTENSEN: Thank you.

23 MR. SQUARTSOFF: Well, then on your one or two on the peninsula area didn't really pan out 'cause there's only really one from that area, and we ended up with five from our area in Kodiak.

25

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1 MR. KNAUER: We didn't always get the number of
applications

2 MR. SQUARTSOFF: Right, that's what you
mentioned.

4 MR. KNAUER: that we needed to get the
distribution. For example, up on the North Slope we currently,
5 I think, have five individuals from Barrow, not by choice but
because we didn't get the applications from the other
6 communities up there.

7 MS. SHELLIKOFF: Mr. Chairman.

8 MR. SQUARTSOFF: That's the way I interpreted
your -- the way the council was formed was how many
9 applications came in from an area and what use was there, and
it looked like the majority was in Kodiak.

10 MS. SHELLIKOFF: Mr. Chairman.

11 CHAIRMAN OLSEN: Yes, Gilda.

12 MS. SHELLIKOFF: I think one of the reasons,
13 you know, that you may have gotten more applications from one
area and not the other is the lack of information, because I
14 know when I called up some people in King Cove about some of
these issues and, you know, they didn't know what this board
was, and they asked how to get on it. They didn't have the
information. I know we in False Pass didn't know about it
15 until just right before the deadline, but we had to fax my
application in, and I think that might be -- maybe if we get
more information out, you know, as time goes on, there may be
more people from the area showing more interest.

18 CHAIRMAN OLSEN: Yes, Craig.

19 MR. MISHLER: I was just going to say, I think
20 it's quite apparent to me from the work I've done in King Cove
and Sand Point that there's a substantial amount of caribou
hunting by those two communities, and they're a fairly
population. It makes a lot of sense to me that they be
21 represented.

23 CHAIRMAN OLSEN: Herman.

24 MR. SQUARTSOFF: Yeah, Mr. Chair, I still
recommend -- my personal opinion is I still think we should
25 have like he was saying, we need an odd number of people, that

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We do expand the board to at least two more to represent that area and help Gilda out there. At least one from there and one 2- even though there isn't any terrestrial in the Pribilofs and all that, we should still have 'em there or be prepared to have 3em there in case the ruling does come in favor of that waters act, you know, so we can be set up for it and not have to do a 4ad scramble later. The process when I put in my application and by the time I got appointed was about a year and a half or 5wo later, and by then, you know, it's going to take that much longer anyway. I feel we should handle it now and wait and see 6f it does happen. Since the process with the Federal government takes so long, we should get going on it now.

7

MS. SHELLIKOFF: I'll second your motion.

8

CHAIRMAN OLSEN: I certainly -- I guess -- was 9hat a motion, Herman?

10

MR. SQUARTSOFF: Yeah, I guess it would be. I was just kind of recommending. You know we could so move on it 11hough.

12

MR. EVERITT: Is that a problem having that change somebody from

13

MR. KNAUER: The one thing I can say is that 14u can -- that a recommendation or motion to increase your membership by two is certainly appropriate. You know, you can 15te it up or vote it down, that's your choice. The one thing that we can't guarantee is where those individuals will come 16om, because the application and representation, none of you are representing specifically your own community; you're 17representing a larger area, and essentially you all have uses and knowledge of much of the region. That's one of the reasons 18at you individuals were selected as opposed to someone else who may have had a very, very narrow scope of knowledge. We 19ould certainly hope that there would be some qualified applications from some of the areas that are unrepresented. As 20uch as we can try to encourage people to apply from areas, sometimes we're unsuccessful, even with personal phone calls 21d visits and things like that.

22

CHAIRMAN OLSEN: Just a minute here. I think -- is that a motion then and seconded?

23

MR. TUTIAKOFF: To increase two members?

24

MR. SQUARTSOFF: Well, let's kind of hold off 25 that. I have to ask one more question. If we did so make a

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motion on this to expand, is it possible the staff or whoever does the selecting that we also -- this Council recommends that, you know, the application that will come in, that they take into consideration that area that isn't represented as well. Would that be possible?

4 MR. KNAUER: That, I think, would be unspoken rule, because one of the things that the Council -- that the panels have tried to do throughout the state is to assure geographic distribution of the Council membership within the region.

7 MR. SQUARTSOFF: Yeah, 'cause we feel or I feel we're basically the Council saying that we feel we're unrepresented in that area -- you know, not as well. You know, if we do decide to expand then also that they take into consideration what we would -- you know, the area we would like to -- if that's possible, and I would like to make a motion on that.

11 MR. EVERITT: That particular part of it would not go in the Charter.

12

MR. SQUARTSOFF: Right, right. That's just a recommendation to the board

14 (Indiscernible - simultaneous speech)

15 MR. SQUARTSOFF: Before we make a motion to do it, there would be no sense if we wanted to expand and then they pick two more people off Kodiak. I mean that would defeat the purpose.

17

18 MS. EAKON: So in particular, you're speaking, Mr. Chair, you're looking at Sand Point?

19

CHAIRMAN OLSEN: I believe that's the

20

MS. EAKON: The Sand Point area?

21

CHAIRMAN OLSEN: Sand Point, the Pribilofs, the areas that aren't at least represented at this time.

23 MR. SQUARTSOFF: Mr. Chair, I'll then go ahead and make a motion that we do expand the Council by two more members.

25 CHAIRMAN OLSEN: There's a motion on the floor.

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1 Do I hear a second?

2 MS. SHELLIKOFF: Second.

3 CHAIRMAN OLSEN: Seconded. Is there any more
discussion?

4 MR. TUTIAKOFF: Question.

5 CHAIRMAN OLSEN: Yes. Mr. Stovall.

6 MR. STOVALL: Just to make a comment. If you
do increase -- decide to increase, you can apply your -- you
can go and search for someone in those particular places like
Sand Point/Pribilofs. You can do your outreach -- target your
outreach in those areas so that you get some qualified people
to serve on the Council. From that standpoint you're right on
the money with the direction you're going, and that's how you
go about proceeding with it.

11 CHAIRMAN OLSEN: To specifically

12 MR. STOVALL: Through your outreach directed
towards those particular areas so you can find good, qualified
people.

14 CHAIRMAN OLSEN: And how do we avoid getting
more representation in the areas that are already

15 MR. TUTIAKOFF: Well, hopefully, you know, that
the Council that makes the appointments or recommendations to
the Secretary of Interior, then whoever, will look at this
region and say, hey, you know, the purpose of why this Council
is making two more recommendations is to fill in the void or
the area needed to -- of concern.

19 CHAIRMAN OLSEN: So it's felt that we are well
represented of the area.

20 MR. TUTIAKOFF: Question.

21 CHAIRMAN OLSEN: Call for the question. All
those in favor?

23 IN UNISON: Aye.

24 CHAIRMAN OLSEN: Those opposed? Hearing none,
the motion passes. So we recruit for two more members to the
Council.

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1 MR. SQUARTSOFF: Mr. Chair. So now I'd like to
recommend that either the Chair or the Vice Chair write a
2 letter to the Secretary Babbitt stating the reasons why we'd
like to expand our council. You know, after the process of
all this

4 MR. TUTIAKOFF: It will go to the Chair

5 MR. SQUARTSOFF: charter thing gets
done

6 MR. TUTIAKOFF: of the Federal
Subsistence Board.

8 MR. SQUARTSOFF: Right.

9 MR. EVERITT: Exactly.

10 MR. TUTIAKOFF: To the Chairman of the Federal
Subsistence Board is where it would go.

11 MR. SQUARTSOFF: Oh, we've got to go up the
chain of command. I'm sorry. I forgot the Federal.

13 MR. TUTIAKOFF: You can copy a letter to them,
the Interior.

14 MR. KNAUER: It's not so much the chain of
command, it's the Secretary in the regulations has delegated
the authority to the Chairman of the Board.

16 MR. SQUARTSOFF: Oh, I see. But we wouldn't
have to do that, you know, until we find out if we're going
to

18 MR. TUTIAKOFF: We should do that now.

19 MR. SQUARTSOFF: Yeah, I guess we should do it
right away, give them the reasons why we would like to expand
the Council.

21 MR. TUTIAKOFF: Mr. Chairman will do that.

22 CHAIRMAN OLSEN: Mr. Chairman will see that it
gets taken care of by other means.

24 MR. TUTIAKOFF: Kind of outline the reasons why
we want to expand, and maybe I'll help you make that decision.

25

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1 MR. SQUARTSOFF: The reason that we want to
expand plus our recommendation that we would like to, you know,
2 take into consideration the applications from that area more
than from say Kodiak Island or whatever.

3
MR. TUTIAKOFF: Get a hold of somebody in
Sand Point and King Cove.

5 MS. SHELLIKOFF: Yeah, before our next board
meeting.

6
MR. EVERITT: Do we need any more of this read,
Terms of Office, Chair, Removal of Members?

8 MR. SQUARTSOFF: That's about the only other
one we can change, I think.

9
MR. EVERITT: Then I'll read the removal of
Members. Removal of Members: If a Council member appointed
under paragraph 9 misses three consecutive regularly scheduled
meetings, the Chair of the Federal Subsistence Board may
recommend that the Secretary of the Interior with the
concurrence of the Secretary of Agriculture remove that
individual.

13
MR. CHRISTENSEN: The only thing that I'd like
14 -- she was mentioning about -- Helga was mentioning about
having a legitimate excuse. I notice that's not in there, so
15 -- if you sometimes do have an excuse to miss, like I missed
the first one

16
MR. TUTIAKOFF: Mr. Chairman,

17
MR. CHRISTENSEN: so if there could just
be an addition that is, you know, without an excuse.

19 MR. TUTIAKOFF: Usually legitimate excuses are
like injury, family, death and family or travel, and it seems
20 me -- I don't know if that's kind of unwritten or is it
something that we have to adopt; is it something we have to
make a long list of what you can miss for and what you can't
miss for? I mean there's a lot of reasons. I think it's kind
22 up to the Chairman to make that decision, if he calls in or
whatever.

23
MR. KNAUER: The way this is written, it is
permissive, not a requirement, and it would be the board -- the
Federal Board would not make a recommendation to the Secretary
without a recommendation from this Council, and therefore if

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1 this Council felt that the individual was representing his area
2 -- his or her area but because of unforeseen circumstances, you
3 know, couldn't make two or three meetings, whatever you set on,
4 then they would not choose to recommend that the individual be
5 removed. If the individual was just not showing up with no
6 good reason, then the Council may -- it's at the prerogative of
7 the Council.

8 MR. TUTIAKOFF: What the Council wants.

9 MR. KNAUER: Yeah, it's not a situation where
10 we feel that there has to be a statement in there either with a
11 good excuse or delineating the excuse.

12 MR. CHRISTENSEN: Another thing on meetings.
13 I'd like to ask if there's going to be any meetings during the
14 summer months, because I will not make any meetings during the
15 summer because that's just such an active time of year. If
16 there is going to be, I'd like to move that we don't have any
17 meetings during the summer months.

18

19 MR. SQUARTSOFF: Yeah, Mr. Chair, I think Randy
20 we pretty well set when we're going to have our meetings,
21 so

22

23 MR. CHRISTENSEN: Okay.

24

25 CHAIRMAN OLSEN: Right. As far as I know it's
26 up to us to set our meetings and they're just a minimum of two,
27 and I certainly have to agree that that's a poor time of year
28 as we are on navigable waters, most of us at that time or year.

29 Is there any problem on either the number of absences or
30 excused absences? Herman.

31

32 MR. SQUARTSOFF: Okay, Mr. Chair, I feel that
33 we should change this, too, also that two consecutive instead
34 of three 'cause there's basically only two meetings a year.

35

36 CHAIRMAN OLSEN: Minimum.

37

38 MR. SQUARTSOFF: Yeah, right, minimum required.
39 I feel that would be a good thing to change it to two; if you
40 missed two instead of the three.

41

42 CHAIRMAN OLSEN: Any comments?

43

44 MR. TUTIAKOFF: I don't know if you'd -- well,
45 I guess I wouldn't have a problem with it, but I don't know why

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it would make any difference. If you have an excused meeting, it's not considered a missed meeting, so you'd still be within the bounds if you missed two meetings with two excuses. I mean I'd just recommend keeping it at three. I mean I don't have a problem with that. If we do, down the road, have more meetings

4

MR. CHRISTENSEN: Then let's see if we have a problem.

6

MR. TUTIAKOFF: Yeah, we might have a problem there.

7

MR. CHRISTENSEN: I'd say wait till then.

8

MR. TUTIAKOFF: Yeah, I wouldn't move to have it to two at this time.

10

MR. SQUARTSOFF: Mr. Chair, well, if we only have two meetings a year somebody decides not to go to the two, I mean they're free, you don't have to worry about -- you know,

12

MR. TUTIAKOFF: Well, they would be excused

14

MS. SHELLIKOFF: If they decide not to go, that's unexcused.

15

MR. TUTIAKOFF: Yeah, they have to have a good reason.

17

MR. SQUARTSOFF: But still they don't -- you know, we can't remove them is what I'm getting at -- we can't remove 'em. You know, I mean they're still there. They could be holding us up maybe for a big decision we need to do or perhaps establish a quorum or -- you know.

20

CHAIRMAN OLSEN: Certainly then I guess am I correct then by the assumption that it is up to the powers of the Council to remove a person or not?

22

MR. KNAUER: Because they're appointed by the Secretary, only the Secretary can remove them. The Council can recommend to the Board that they recommend to the Secretary that the individual be removed, and it would have to be with justification.

25

MR. TUTIAKOFF: You've got all the process of

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due process which the Commissioner has to be instated, right?

2 MR. KNAUER: Not

3 MR. TUTIAKOFF: Wouldn't he, or it's just a
recommendation?

4 MR. KNAUER: It's not quite that formal because
the members do serve at the pleasure of the Secretary. They
can be removed or appointed theoretically at any time. But I
would not anticipate that to be the case.

7 MS. SHELLIKOFF: I don't see any problems with
leaving it at three meetings, because I think anybody that
takes the time to fill out an application to be on the board
are going to be serious about trying to make the meetings.

9 MR. SQUARTSOFF: But there's guilty at any
time. You know, I could have -- or you or anybody else, I
could say, hey, I'm too busy on my job. You know, I can't
afford to take off right now, you know, I'm not going. You
know, I just want to kind of argue the point a little bit what
can happen. You know, they could be at that point in time some
two or three of us are not going to be able to make it without
a real good legitimate excuse. Just try to cover that area.

14 CHAIRMAN OLSEN: I certainly understand what
you're saying, Herman, but I also have to look at it that due
to the process I don't know what happened -- haven't heard of
anybody being removed from these types of boards other than
real strong, legitimate, ethical reasons. Therefore I find it,
as it is, workable at this point. I certainly see what you're
getting at, but on the other hand it's up to us to make the
recommendations anyway.

18 MR. SQUARTSOFF: Right. Well, right now it's
working. We just started. We've got to do this in what, six,
nine months ahead of time very two years, you know. We leave
to go now two years -- or another year from now and maybe it
won't be working, you know, 'cause I'm looking at it that way,
too. You know, we can't change it for another two years if we
don't change anything now.

22 CHAIRMAN OLSEN: Well,

23 MR. SQUARTSOFF: For being just formed our
second meeting -- you know, it's -- I don't know, I could be
wrong.

25

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1 CHAIRMAN OLSEN: No, I just -- I certainly hear
you, but I feel then if that is what you'd like to see, then
2 I'd like to see the motion form.

3 MR. SQUARTSOFF: Well, no, you know, I'm just
trying to knock it around the Council. I just don't want to
4 see it happen at a critical time that we're going to need to
have a quorum or need to have something like the guy mentioned
5 a while ago, all of a sudden their quorum was all gone and they
lost their meeting in -- you know, things like that where, you
6 know, that won't happen, where we'll have to make some critical
decisions, you know, down the line here. That's the only
7 reason I would want to, you know, see something like that
happen.

8
CHAIRMAN OLSEN: However, I think

9
MR. TUTIAKOFF: If we add two, the quorum is
10 four right now.

11 MR. SQUARTSOFF: Right now, right, the quorum
is four.
12

MR. TUTIAKOFF: We have seven
13

MR. SQUARTSOFF: If we do expand the quorum
14 all be five, you know. We need to take that into
consideration, too. So
15

CHAIRMAN OLSEN: Helga.
16

MS. EAKON: Mr. Chair, when Bristol Bay
17 Regional Advisory Council discussed this paragraph in their
charter they -- one of the points they made was exactly as
18 someone here said, you have two meetings a year, and a person,
whether excused or not, misses these meetings, their area has
19 effectively lost a voice in decisions that affect their region.
So that was the point that they agreed upon, and I believe
20 their suggestion was to say let's make it two. This is just
for your information.

21
MR. TUTIAKOFF: I think the point,
22 Chairman, is that whether they were excused or not excused
you miss two meetings and the recommendation from the Council
23 that you be removed; is that what you're saying, after two
meetings?

24
MS. EAKON: Yes.

25

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1 MR. TUTIAKOFF: I guess the real point is
whether you're excused or unexcused, that's -- it doesn't
matter, you miss two meetings that means

3 MR. SQUARTSOFF: You know, I can't see how they
established this in the first place. Why did they set it at
three when the guideline is kind of basically -- a majority of
the time we'll only have two meetings instead of three, four,
whatever. Why didn't they put three in there in the first
place?

6

MR. KNAUER: It's my fault, and

7

MR. SQUARTSOFF: So we need to kind of
eliminate that.

9

MR. TUTIAKOFF: I don't have a problem with it.
Do you have problems with it? I couldn't see changing it.

10

MR. SQUARTSOFF: No, it's not really your
fault, it's guys like me that like to question this stuff.

12

MS. SHELLIKOFF: I don't know what's wrong with
it the way it is, it doesn't matter to me.

13

MR. EVERITT: Mr. Chairman, to put this to
rest, I'd just like to make a motion that we change the number
of consecutive misses that you can make from three to two.

15

MR. SQUARTSOFF: I'll second it.

16

CHAIRMAN OLSEN: Moved and seconded. Is there
any more discussion on this issue?

18

MR. TUTIAKOFF: Will this include excused or
not excused? I mean if you miss two, right?

19

MR. EVERITT: I'll go back on my motion and say
flex-

21

MR. TUTIAKOFF: There's no grace?

22

MR. EVERITT: unexcused. Who is going to
excuse this? I feel like a school teacher.

23

MR. TUTIAKOFF: Yeah, slap your hand.

24

MR. EVERITT: Let's just leave it at two
meetings and the board's going to know -- it's up to us to make

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the recommendation. If the spirit of this group gets so tense that we're after somebody, it's not the place to be, so there's some common sense that we can just use. I want to leave it at changing it from three to two and then deal with it then.

3

MR. SQUARTSOFF: That's all we need to do.

4

MR. EVERITT: Yeah.

5

MR. TUTIAKOFF: Okay. Question.

6

CHAIRMAN OLSEN: All right. Moved and seconded. The question has been called. All those in favor signify by aye.

8

IN UNISON: Aye.

9

CHAIRMAN OLSEN: Those opposed. Motion passes. Must out of curiosity, can that motion be read back?

11

MR. SQUARTSOFF: It was simple when it started.

12

MR. TUTIAKOFF: It's just missed to meetings, that's all.

13

MR. SQUARTSOFF: Yeah, Mr. Chair, the motion that he made was just to change Removal of Members, Council member appointed under paragraph 9 misses three consecutive regularly scheduled meetings, be changed to two consecutive regularly scheduled meetings.

16

CHAIRMAN OLSEN: Okay. Well, other than that

18

MR. EVERITT: Two for three. Do we have to vote on accepting the Charter then?

19

MR. SQUARTSOFF: I think we can do this when we go through the Manual tomorrow. At this time right here, we're on that agenda on the Charter Renewal and Review.

21

MR. CHRISTENSEN: Mr. Chairman.

22

CHAIRMAN OLSEN: Yes, Randy.

23

MR. CHRISTENSEN: If we're all the way passed - all the way finished with the Charter, all the way down to signature here, I'd like to jump back to number VII. We skipped over the Estimated Operating Costs. You know, this

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might not seem very important, but just as time goes on and with the economy the way it is and whatever grants are -- whatever we get for operating, it's estimated at \$100,000, I've been noticing that every time we get a piece of mail it comes in a huge manila envelope, and I'm on the Fish & Game Board, the state at Kodiak, and a lot of times these come in just one single page and, you know, you get a full envelope for it at 39 cents a pop. The Fish and Game Advisory in Kodiak, they just send us the -- basically it's just the same thing, it's just folded over, stapled, and much cheaper. It may not seem like much, but I think if we can get our one person staff to maybe change that a little bit, I think it would help in the long run. Like I say, it doesn't seem like much, but I believe that if he sent enough of these, they're going to make a difference, 'cause a lot of the material I get is doubled. I get two of the same thing.

9

CHAIRMAN OLSEN: Helga, maybe you can address that as to where we are at financially with the monies given to Council as to the way the financial

11

MS. EAKON: This is a budget guide.

12

CHAIRMAN OLSEN: This is a budget guide here. Excuse me.

14

MR. KNAUER: First off, that particular section is required by departmental procedures. We put in an estimated operating cost. It is not a budget for the Council. This Council does not have a budget per se. The way that the figure was derived was to estimate the total number of council meetings, the number of members, guesstimate the travel and per diem based upon the number of members. Now this is for all council, not just this one, plus the salary and benefits that accrue to the coordinators, a certain initial amount of staff time beyond that, their travel, and divide it by 10. So that figure is the same in all -- it is strictly an estimated amount. Just for your general information, the regional council -- the operation of the regional councils costs about \$1 million for a year. That's right now about one-fourth of the budgeted amount that the Federal Subsistence Program has.

22

MR. CHRISTENSEN: Excuse me, I understand, but I was just as one cost-cutting measure I was going to mention about that. The rest of it I understand completely.

24

MR. KNAUER: Right. We have a branch in our office that deals with publications and public involvement, and they have utilized a number of different things, and they are

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continuing to investigate. We have gone to a bulk mail permit to reduce mailing costs, and sometimes the situation is such that it is cheaper because of the process involved and the number of people to use an envelope as opposed to the fold-over and staple. It just depends upon the situation. But we do try and watch our costs.

4

MR. CHRISTENSEN: Okay. I was just curious. Many of these just come as a single sheet, and you could even go to a smaller envelope for 29 cents rather than 39, you know. Like I say, it seems small, but over all of Alaska, I'm sure it's going to get -- it's a big -- it would get to be a big cost. It's just a thought.

8 CHAIRMAN OLSEN: Would it be appropriate to be able to have a financial as far as our regional council is concerned as a tool of measurement of effectiveness of money well spent or to mainly use as a tool to help us, or is that even a concern?

11 MR. KNAUER: Currently we don't feel it's -- that we've got a real good handle because we know that certain issues will require additional meetings in certain regions. For example, in the Southcentral there's been an issue this year dealing with the customary and traditional use determinations on the Kenai Peninsula. They have required extra meetings, a work session, additional meeting. Probably in the eastern interior that will also occur. In some other areas that might not be the case. Also in either by court direction or administrative decision there is additional requirements for meetings relative to navigable waters. That could change. So at this point we have got a budget for the entire branch of advisory systems, and estimated -- we have made estimated costs for each council meeting, but not for each council per se. We have not felt that that's necessary. We want to keep it open because there may be times when you may wish to have a telephone conference, or because of a particular issue maybe a community or a couple of communities may wish to be tied in to a council meeting like this by a telephone hook-up where there's a speaker phone and they can hear the things on and have it connected to their community for the particular issue or reason. And so we have felt that it's an amount delegated to each individual council would be limiting more than we wish. We wish to maintain the flexibility.

23

CHAIRMAN OLSEN: I guess where I'm coming from on this particular issue is with the 100,000 set at that with dropping revenues and what-have-you nationwide that we -- I do not have a feel for whether this is even in the ballpark and as

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time comes through will we be strangled by a set dollar amount.

2 MR. KNAUER: Again, that 100,000 is an
estimate. It has no bearing on the actual operation of the
Council or any of the councils.

4 CHAIRMAN OLSEN: Any more discussion on
finance?
5

MR. CHRISTENSEN: No, I was just going to make
6- well, he's already mentioned that they're getting the bulk
mail due to -- bureaucracy, I guess, it sounds different but if
7t's cheaper to send these envelopes through the mail rather
than fold-over type, I just thought it would be a
8recommendation.

9 MR. EVERITT: Mr. Chairman, I'd like to ring up
with Randy, 'cause I've gotten these communications and I
10shared the same thing, it's such a waste of money putting one
letter in a big envelope. Were they to put it in a regular
11envelope and send it for 29 cents and it cost 59 cents, and
it's just common sense added when they're doing things some
12place. I don't want money wasted on me like that. That's a
total waste of my taxpayer money, and so somebody's got to say,
13hey, come on, somebody get it under control, and I want to just
second what Randy was saying, that they could use a little bit
14more common sense in sending those.

15 CHAIRMAN OLSEN: In other words the money could
be used more wisely, I think, is the issue we're really looking
16at.

17 MR. KNAUER: We'll take that under
consideration. There are some people in the audience that are
18specifically involved in this process, so we'll do all that we
can.
19

MR. CHRISTENSEN: I don't think it has to be
20put through a motion, it's just a recommendation from the
board, I guess,
21

MR. EVERITT: It's just what we've seen, you
22now.

23 MR. CHRISTENSEN: to the one-person staff
that -- 'cause I'm sure that as the years go by our economy
24n't going to turn around over night, and it's going to
eventually -- even if this is just an estimate at 100,000, you
25now, 10 years from now it's going to be estimated at what, you

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know, and if we start cutting back any little place we can,
it's going to help. That was my point is all. Since we are
going to have two more board members, it's going to get more
expensive. Probably more meetings, too.

3

CHAIRMAN OLSEN: It certainly does bring
concern to me though. Sooner or later it will be addressed,
and I guess when it does come our way, we'll address it again.
Thank you, Randy.

6 Does that fill our our charter or -- I guess compensation.
That's not within our power to change.

7

MR. SQUARTSOFF: Mr. Chair, when do we plan on
breaking for lunch?

9 CHAIRMAN OLSEN: I didn't even

10 MR. SQUARTSOFF: 11:30?

11 CHAIRMAN OLSEN: What is the wish of the
Council, I guess I would ask?

12

MR. TUTIAKOFF: Do we renew this charter right
now? We don't have to do anything to this charter? We just
reviewed it.

14

MR. EVERITT: We need a recommendation to

15 MR. TUTIAKOFF: Make recommendations and

16 MS. EAKON: Make a recommendation.

17 MR. TUTIAKOFF: That's it as far as a motion?
Okay, I move to break for lunch.

18

MR. EVERITT: On this number G before we break
for lunch, can we nail this down exactly what it is? Let me
make sure that I have the right brochure that I can read it
through during lunch and understand everything that we're going
to discuss.

21

MR. TUTIAKOFF: Part D.

22

MR. EVERITT: Then it is -- it's not the
remaining -- for the Council's proposal? We're just going
to

24

MR. SQUARTSOFF: Right.

25

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1 MR. EVERITT: get into that? Okay.

2 MS. EAKON: Did you move Member Recruitment
someplace, too?

3 MR. SQUARTSOFF: No, he just kind of skipped
over that, I think. We were just curious on the proposals.

5 CHAIRMAN OLSEN: We were just finishing Charter
Renewal. That was the last discussion under

6 (Indiscernible - simultaneous speech)

7 MR. TUTIAKOFF: we can do that.

8 MS. EAKON: It's very short if you want to
address this now because I did promise the biologist that he
could come over at 1:00 -- I mean after lunch to start work on
the proposal.

11 MR. SQUARTSOFF: Okay, then Member Recruitment,
this F.

12 CHAIRMAN OLSEN: All right. I guess that
brings us to Member Recruitment.

14 MR. EVERITT: Haven't we discussed that in
increasing by two?

15 MS. SHELLIKOFF: No.

16 MR. TUTIAKOFF: No.

17 MS. SHELLIKOFF: This is for people that
are

19 MR. TUTIAKOFF: This has to do with staff, I
believe.

20 MS. EAKON: You do have a blue colored two-page
handout in front of you, or you should, on the Council
Recruitment. As you know, this year there's two one-year seats
that are going to be vacant in August, so we want to start
early to get this process going so that they would be filled
this coming August.

24 Please take note that -- or maybe I would encourage you
when you go back to your communities to make sure that you do
have extra copies of this handout to maybe post in your

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appropriate bulletin board so that people are informed. The names and terms of all 10 regions in the state is directly in back of the first page. It also in italics are the seats -- the names and the seats that are going to be coming open this August. And then the third page is a real brief application. Moses and I looked at the one that was used previously and kind of made suggestions on a couple of items.

5 And you should also have in front of you another handout that says, "Dear Reader, Thank you for requesting information
6 on membership on the Council." Basically if someone calls the office and says, "I would like more information on this
7 recruitment process, how do I get on the Council?" This has more information than the Dear Reader letter. It has the
8 application, it has a map of the 10 regions, it has a handout on roles and responsibilities of council members, and a flyer.
9

MR. EVERITT: The same flyer.

10

MS. EAKON: The same flyer, right. As I had stated earlier this morning, when Moses sends out the informational packet this recruitment information will be included, and this packet is sent to the appropriate councils being in your region, and also regional organizations. Do you have any questions about this process?

14 MR. SQUARTSOFF: I've got one, Mr. Chair. Helga, okay, on that application here, it has "What has been
15 your involvement with subsistence activities?" Maybe that should also include how long you've been a subsistence user
16 should be included in there.

17 MR. CHRISTENSEN: I think it's kind of a broad question. It encompasses that, too.
18

MR. SQUARTSOFF: I sure hope so.

19

MS. EAKON: How long have you practiced -- excuse me, could you restate that?

21 MR. SQUARTSOFF: Maybe -- well, Randy thought it was kind of broad in here, but I also think that it maybe
22 should have in here someplace -- I think it had on the original one that I filled out, you know, how long you were a
23 subsistence user in your area or whatever, that you did the subsistence lifestyle, you know. 'Cause I think that would
24 affect kind of on the decision more of the process of picking the person and how long he's been a subsistence user, and in
25 that area he should have a little more input on it than some of

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the -- maybe he's going to apply that's been a subsistence user for one year or something.

2

MS. EAKON: I think when Moses calls each applicant he could include that question and so note on the application.

4

MR. EVERITT: Mr. Chairman, who is choosing these two new people?

6

MR. TUTIAKOFF: The Federal Board.

7

CHAIRMAN OLSEN: That would be the board, I guess, or the appointment would be passed on from the board to the Secretary, I believe.

9

MR. EVERITT: This board?

10

CHAIRMAN OLSEN: No, from the Federal Board.

11

MR. TUTIAKOFF: The Federal Board.

12

MR. EVERITT: So the same process it went through last time?

13

MR. KNAUER: There will be a panel established to examine the applications and rate the applications, almost like a job selection process. They'll check the reference, they'll probably contact community leaders to determine what kind of credibility, reputation the individual has, what their experience with maybe other groups or boards have, whether they have such that they -- you know, they tend to work to come to a consensus.

18

MR. EVERITT: Mark and Randy are applying again. Is there

19

MR. KNAUER: That's one of the things that I have just mentioned to Helga, that the two vacant seats, if those individuals decide to serve again, they should reapply -- they must reapply.

22

MR. CHRISTENSEN: That was going to be one of my questions. We couldn't just sign something saying that we -- rather than put all this information back in do you have the old information or do we have to go through the whole thing again and be reappointed?

25

MR. KNAUER: We still do have the applications.

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1

MR. CHRISTENSEN: Well, this is basically the application right here, so I guess I could just fill this out.

3

MR. KNAUER: One of the things that we try to do is assure that the application is not too intimidating for most of the people, and as you can see it is not a standard government SF1-171 Employment Application which is multiple pages, multiple levels of detail.

6

CHAIRMAN OLSEN: It does specifically say here that incumbents must

7

MS. EAKON: If you have other information that you would like to be brought out before we adjourn tomorrow, maybe you can bring them up, 'cause you may think of something that is important to us a selection process.

10

CHAIRMAN OLSEN: Is there anything more here for, I guess, under Member Recruitment?

11

MR. STOVALL: I'd like to ask a question. What is the time frame going to be for the selection process? Are you looking to try and get them available for the meeting that comes up in October, the new members, or the new selected members?

14

MR. TUTIAKOFF: I don't know that we have that knowledge.

16

MR. STOVALL: I'm not asking you that question. I was kind of asking Bill and Helga that question, because it's a very critical time for them to be sitting and have your council up and running and ready to go to take in the proposals for the next seasons of regulations to come out. So is the process going to work quicker this time?

19

MR. KNAUER: We anticipate that the process will work quicker. We're a little more familiar with it. There will not be 84 names and letters going to the Secretary for approval; there will only be a third of that, so that should speed the process. They have seen the process before in the Secretary's office, all the documentation, so we shouldn't have to re-educate the individuals in there. So we do anticipate that the members will be reappointed in time for the fall meetings -- excuse me -- appointed in time for the fall meetings.

25

MR. STOVALL: And the next question is is there

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1 a deadline for the applications?

2 CHAIRMAN OLSEN: April 1.

3 MR. STOVALL: April 1.
CHAIRMAN OLSEN: 1994.

4 MR. CHRISTENSEN: Just for my own information
Here, how did you come up with the who fits these different
time frames here, like three 1996s, two '95s, two '94s? Did
you just pick them out of the hat; how did you come up with
those years?

7 MR. KNAUER: A number of ways. First off we
8 tried to do a third, a third, a third, but of course you can't
quite get that with the numbers that are on some councils. All
9 appointments from now on will be a three-year term so
that

10 MR. CHRISTENSEN: Oh, I see.

11 MR. KNAUER: the reason for that is for
12 some continuity.

13 MR. CHRISTENSEN: Staggering the membership,
right.

14 MR. KNAUER: Exactly.

15 MR. CHRISTENSEN: Or the term, yeah.

16 MR. KNAUER: And then the other thing as far as
whether it was a one-year, two-year, three-year term, if there
were multiple members from the same community, we tried to make
17 some of the longer term appointments from there, and also some
of the shorter term to allow for some of the concerns as was
18 expressed here earlier

20 MR. CHRISTENSEN: The continuity thing.

21 MR. KNAUER: Not necessarily continuity but
geographical distribution also. Like up in Barrow I said there
22 were five of the members that were selected -- four, excuse me,
I think it's four from Barrow. Some of the shorter
23 appointments for that council are some of the Barrow
appointments so that during this recruitment period both the
24 council members and the coordinator can really specifically
recruit in some of the areas that aren't represented.

25

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1 CHAIRMAN OLSEN: Under that statement any new
appointments will be a three-year term?

2 MR. KNAUER: All new appointments from now on
will be a three-year term.

4 CHAIRMAN OLSEN: I just showed that a mesh of
different numbers through the different terms.

5 MR. CHRISTENSEN: Only for the first three
years?

7 MR. KNAUER: There will always be -- every year
there will be one-third of your council seats that will be
coming vacant.

9 CHAIRMAN OLSEN: But -- correctly, but as it is
now the terms expiring for '94, there's two of 'em, if we add
two more at the time, that will make it not a third.

11 MR. TUTIAKOFF: One will be two and one will be
one.

12 MR. KNAUER: There will be some adjustment
here to take care of.

14 CHAIRMAN OLSEN: It sounded like it was hard,
that three-year appointment, not that it matters too much.

15 Is there anything further for Member Recruitment? I guess
do you have everything under New Business, going to --
pertaining to -- or after lunch; is that correct, Helga? Or is
there other New Business?

18 MS. EAKON: I don't know if that's a decision,
but Bill just said that he could address the Kodiak fishing
meline if you want, or we could start with proposals right
after lunch and then do this tomorrow. It's up to you.

20 MR. EVERITT: We could hear about the fishing.
At least hear what someone has to say. Helga, was there
somebody that knew something about it out there?

22 MS. EAKON: Yes, Bill.

23 MR. TUTIAKOFF: Subsistence fishing, number 2.

24 MS. EAKON: H.2.

25

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1 MR. EVERITT: In the regulation last year they
put in that the State says you can only fish from 6:00 a.m. to
9:00 p.m., and the Federal Subsistence Board came out with
starting July 1 that it was sun-up to sun-down for subsistence
users. And this year there was some discrepancy in the book,
and I don't have the page number right now, but

4 MR. STOVALL: I can tell you exactly what page
it is, where the discrepancy lies. It's in the -- the first
thing that you need to read is in the Fisheries Section itself
in the booklet, and that is on page 116 -- 115 is where the
actual statement is made regarding the hours of fishing. It
says, "Unless restricted in the regulations in this booklet, or
unless restricted under the terms of a subsistence fishing
permit, the fish may be taken at any time." So the Federal
Regulations are stating that with these restrictions that they
put in it that fish may be taken at any time.

10 MR. EVERITT: Unless you're under other

11 MR. STOVALL: That's on the top of the line on
page 115 of the booklet. And that's under the General
Restrictions for taking of finfish.

13 MR. EVERITT: Okay. Unless restricted under
the terms of a subsistence fishing permit the State fishing
permit says that you can only fish between 6:00 and 9:00, and
so we've lost the ability to fish from sun-up to sun-down. Is
there an answer to that?

16 MR. KNAUER: Yes. It appears that, I think it
was a year or two years ago there was a proposal from the
Kodiak area to allow the use of subsistence fishing -- the take
of subsistence fish from sun-up to sundown. The board did pass
that, and that was the intent, however, it appears that we
screwed up in that we were probably unaware that the
subsistence fishing permit actually specifies the time on it.
And so what we'll have to do is modify the wording -- it will
not require a proposal but it will be a technical change in
that statement that indicates that the times and means under
the Federal program supersede the State where the State is more
restrictive.

22

MR. EVERITT: Will we have something in writing
for us down there to counter our local state employees that are
fighting us on this?

24

MR. KNAUER: We'll see that there is a
statement in that regard issued because it was never the intent

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When the board passed that to have -- to pass something that was -- would have no effect.

2

MR. EVERITT: Well, that answers my question that I had, as long as I know that something is going to come out that doesn't require us to fight back for it.

4

MR. KNAUER: We appreciate you pointing that out. That was an inadvertent glitch.

CHAIRMAN OLSEN: Until this technicality, if you will, is changed is it status quo or with the upcoming year when will it be modified to be in effect for the upcoming season or will it?

8

MR. EVERITT: Right now until July 1, that's when this takes effect, correct, -- July 1, we're under last year's rules which it says that we can

10

MR. STOVALL: This is last year's.

11

MR. EVERITT: Oh, it is.

12

MR. STOVALL: Yes.

13

MR. EVERITT: Oh, then it wasn't -- it was wrong in here, too.

MR. KNAUER: There will probably be an extension of these until December. I say probably because what they're going to do is two things: One, they're going to separate out the fisheries from the animal, from the mammals, just one thing. So there'll be two different sets. The other thing is they want to make the Federal program now wants to put the fisheries regulations on a calendar year basis rather than a July 1 to June 30 year, because essentially that's right in the middle of the fishing season, and it would make sense to have the break during a time when there is not the high level of fishing activity. The other thing is we're sort of waiting to see what will happen with the decisions relative to navigable waters. But when -- if and when the extension is made, we'll make that technical correction in the regulations.

22

CHAIRMAN OLSEN: So then it could be defined previous to our upcoming season, more than likely? You say the extension that this will carry through.

24

MR. KNAUER: That's supposedly one of my tasks over the next few months.

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1

MR. EVERITT: We'll just have something in writing then that lets the State Fish & Game know that we can have our nets in the water at 5:00 o'clock in the morning if we so choose? That's what I'm concerned about, that it's clear to them.

4

MS. SHELLIKOFF: 'Cause it's based on tides and how much daylight we have and there's so much more in the summertime. If we've got good tide and it's a nice morning, you're going to go out when it's light.

7

CHAIRMAN OLSEN: Right.

8

MR. EVERITT: That was pretty restrictive what he had. The other thing I just wanted to bring up was the number of fish that we could take for subsistence, to start getting that on the agenda, that we're limited to 25 per person, and I would like to see that raised for subsistence use.

11

CHAIRMAN OLSEN: Okay. I think that will come in our proposals in the upcoming year. I certainly hope to see it there.

13

MR. EVERITT: I just want to get it on the agenda. In that -- just a quick question on raising the limit. Is that something that we have to do here as a board, ask for the Subsistence Board to raise that limit, or can that be done administratively without having to go through the Subsistence Board?

17

MR. KNAUER: No, that is something that would actually have to be a proposal submitted on during the proposal cycle. We have an annual cycle, of course, that's relative to seasons and bag limits, and that relates to harvest limits. So that would have to be

20

MR. EVERITT: Seeing this is something that will have to come on next year's, it's too late for this year's, but at least start getting it in the -- on the books so we can start looking at it. That's all I had.

22

CHAIRMAN OLSEN: Did we want to

23

MR. EVERITT: Reconvene at 1:15?

24

CHAIRMAN OLSEN: All right. I hear it, and so I agree, at this time

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1 MR. CHRISTENSEN: Move to adjourn for lunch, I
guess. Is that what you're asking for?

3 CHAIRMAN OLSEN: Yes, I am.

4 MR. CHRISTENSEN: Or recess for lunch rather,
not adjourn.

5 CHAIRMAN OLSEN: Yeah, don't adjourn.

6 MR. CHRISTENSEN: Sorry about that.

7 CHAIRMAN OLSEN: Okay, at this time it's been
requested for a recess for the lunch hour until 1:15. Is that
a good time to reconvene?

9 COURT REPORTER: Off record.

10 (Off record - 11:51 a.m.)

11 (On record - 1:22 p.m.)

12 CHAIRMAN OLSEN: I'll now call the meeting back
in order. I believe we left off on number VII. H. Did we get
ahead of ourselves here?

14 MR. SQUARTSOFF: We were down to VII. G.,
weren't we?

16 MR. TUTIAKOFF: We're on

17 CHAIRMAN OLSEN: Yeah.

18 MR. TUTIAKOFF: Yeah, we did the subsistence
fishing times.

19 CHAIRMAN OLSEN: Right. We did that
clarification. Under that we had something -- herd

21 MR. TUTIAKOFF: Adak herd.

22 CHAIRMAN OLSEN: The Adak herd.

23 MS. EAKON: Tomorrow?

24 MR. TUTIAKOFF: That's under H.

25 CHAIRMAN OLSEN: Okay. I see where it is.

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That's tomorrow.

2 MS. EAKON: So we're on G., right?

3 MR. TUTIAKOFF: Yeah, G. -- VII. G.

4 CHAIRMAN OLSEN: Yeah, we're still under Other
New Business.

5 MR. TUTIAKOFF: You don't have the updated one
in the book here.

7 CHAIRMAN OLSEN: The updated one, okay.

8 MR. TUTIAKOFF: Change Subpart D, Council
Proposals.

9 CHAIRMAN OLSEN: Okay. Where is that?

10 MR. TUTIAKOFF: It's right there.

11 CHAIRMAN OLSEN: Okay. So I guess that brings
us to G. -- VII. G. Proposal to Change Subpart D - Wildlife
Regulations: and Deliberation and Development of
Recommendations.

14 MR. TUTIAKOFF: I thought we were on this one,
Proposal 27, that's ours. Proposal Number 27, is that the one
we're on?

16 CHAIRMAN OLSEN: Which is on page 12?

17 MS. EAKON: Yes, Proposal 27, page 72 in your
blue booklet.

18 MS. EAKON: For the people in the audience who
do not have a hot pink analysis -- however, for the Council it
would probably be easier to work off of the hot pink booklet.

20 (Off record comments)

21 CHAIRMAN OLSEN: At this time who would like to
read the proposal?

23 MR. EVERITT: Read the proposal? Okay. Would
you like the whole thing read along with the staff analysis?

24 MR. TUTIAKOFF: I think, Mr. Chairman, what the
changes are is Number 2 and item A and B, and the rest of that

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1- this relates to this, right there, discussion.

2 MR. EVERITT: Proposal for Regulation Change.
"(A) A qualified rural resident of Unit 8 in possession of a
3 valid hunting license, may take deer for another qualified
rural resident of Unit 8 who possesses a valid hunting license
4 and who is blind, physically disabled, 65 years of age or
older, or otherwise cannot harvest or hunt for themselves. (B)"
5s "Reserved."

6 CHAIRMAN OLSEN: That is as changed or as is?

7 MR. TUTIAKOFF: It's a proposal.

8 MR. KNAUER: That is the proposed change under
this regulation or under this proposal -- excuse me.

9 MR. EVERITT: Is this what you sent out, Herman
and Mark?

11 CHAIRMAN OLSEN: Yes, and the reasoning here
was that to get it in to get it on the table for discussion and
12 amendments and any discrepancies that the Council might see and
would like to address at this time.

13 MS. EAKON: Excuse me. As a matter of
14 procedure, Mr. Chair, in order to get this discussion on the
floor we need to have a motion -- we need to have a motion to
15 adopt this proposal, a second, pass it, and then open the floor
for discussion.

16 MR. CHRISTENSEN: Discussion, then pass it.

17 MR. SQUARTSOFF: Wait for the question.

18 MS. EAKON: I mean, right, open the floor for
19 discussion, right.

20 MR. SQUARTSOFF: I'd like to so move that we
adopt Proposal Number 27.

21 MR. TUTIAKOFF: I'll second for discussion.

22 CHAIRMAN OLSEN: Okay, moved and seconded.
23 That will bring us into discussion. I don't know, but just
here in the past it wasn't quite what the Council had in mind
24 at this time. Would anybody like to be more specific?

25 MR. SQUARTSOFF: Mr. Chairman, I'd like to --

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I'm not quite looking at this right, the way -- the two parts and one in here on it. I'd like to make amendments to this proposal. I'm trying to find the right areas here. The first part where it's highlighted, "A qualified rural resident of Unit 8 in possession of a valid hunting license may take deer for another qualified rural resident of Unit 8 who possesses a valid hunting license and who is blind, physically disabled, 65 years of age or older, or otherwise cannot harvest or hunt for themselves."

6 I would like to amend that to where a qualified rural resident of Unit Management 8 take deer or whatever we're doing here by permit instead of having to use a license for the one they're taking the deer for. In other words, the permittee would be the one you're getting it for. You know, I feel they shouldn't have to have a license for that. It should be just by permit only for them to, you know, get a deer off of -- basically what I'm saying is just a permit only that should be needed for that person that you're getting the deer for with the data on there of -- you know, what type of deer, the sex, where you got it, location, all that and everything else. I feel they shouldn't have to have a license. The justification is that is your basically going out and sport hunting for 'em anyways and they've got to have a license and harvest tickets and everything else. To me that doesn't define subsistence, customary and traditional use, what we do basically on the sharing.

15 You know, I feel that we should change that to by permit only and also the age limit shouldn't be in there, physically disabled, sick, 65 years of age or older. You know, there's unwed mothers down there with children, a different age group, there's guys that can't go out there to hunt that are of younger than 65 that can't go out and hunt. You know, I feel we shouldn't have an age limit in there. It's stating here, or otherwise cannot hunt or harvest, but I feel we should eliminate that 65 years or older -- or of age or older. We should eliminate that out of there, amend that.

20

CHAIRMAN OLSEN: Would you want to keep who is blind or physically disabled in there?

22 MR. SQUARTSOFF: Yeah, that -- it don't really have to 'cause it would be you could go out for basically anybody.

24 CHAIRMAN OLSEN: Can that be defined any better by customary and traditional use?

25

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1 MR. SQUARTSOFF: C and T is what originally was
supposed to have been put in there. And basically the basis of
2 this was sharing anyway. You know, you go -- a guy goes and
hunts and shares his food and from his own harvest tickets your
3 allowed four on state land. You go give two, three of 'em
away, you got one for yourself. You know, you can't go out and
4 get any more. You know, that was the purpose of this -- or
another purpose of it. You know, the guy taking it to where
5 you could basically legally go and do it anyway on the sharing
process part.

6

CHAIRMAN OLSEN: I guess at this time do we
7 take an amendment as wished to be amended?

8 MR. SQUARTSOFF: Yeah, well, we need -- if
we're going to amend it we need, you know, the right wording in
9 there, and then we need

10 CHAIRMAN OLSEN: Tom.

11 MR. EVERITT: Mr. Chairman, can we just discuss
that for a little bit before maybe

12

CHAIRMAN OLSEN: Yes.

13

MR. EVERITT: Herman comes back with a
14 motion and address it, how we all want it, and have a motion
instead of changing the motion constantly. Is that in order?

15

CHAIRMAN OLSEN: I would think so, that we can
16 discuss the issue prior to a motion.

17 MR. EVERITT: It's open.

18 MR. SQUARTSOFF: Well, we're on discussion
right now.

19

MR. EVERITT: Yeah.

20

MR. CHRISTENSEN: We could discuss it and
21 change it and then vote yea as amended is the way I would
understand it.

22

CHAIRMAN OLSEN: Okay.

23

MR. CHRISTENSEN: Yeah, vote yea or nay as
24 amended is the way I think it would be the correct way to do
it.

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1 MR. SQUARTSOFF: I'm just bringing it out and
discussing it.

2 MR. CHRISTENSEN: This discussion of how we
want to amend that and then vote yea or nay on the amendment --
on the motion as amended.

4 CHAIRMAN OLSEN: Is there anybody else that
wants to discuss or give any input on this?

6 MR. EVERITT: Well, I just want to kind of get
clear what we're trying to -- a statement we're trying to say,
like it would be a qualified rural resident of Unit 8 may take
deer for another qualified rural resident of Unit 8. No valid
hunting license. It would be just a flat statement like that.

9 MR. SQUARTSOFF: By permit.

10 MR. EVERITT: By permit. 'Cause I agree with
doing it like we do our subsistence fish for the state right
now, that it would give more accurate numbers of the deer that
are actually taken, and we could have -- keep good checks on
just how many deer are really being taken by subsistence users.
And I like that idea of using the permit system like we do on
subsistence fish.

14 MR. CHRISTENSEN: You mean as opposed to a
valid hunting license?

15 MR. TUTIAKOFF: Yes.

16 MR. CHRISTENSEN: A valid hunting
license,

18 MR. EVERITT: See, they carry

19 MR. CHRISTENSEN: A valid hunting license
doesn't that -- if you punch your tags, that goes to the same
end, the permit. You're still filling out the same amount
of

21 MR. EVERITT: They don't get the information
like they could. Like when we send in our subsistence permits
they can chart and say exactly where they're catching their
subsistence fish.

24 MR. SQUARTSOFF: I might not be clear on that
either, Randy, but what I was trying to say is a qualified
resident of Unit Management 8, and they've got to be from Unit

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Management 8, get one for somebody else in that unit. They carry a permit, 'cause all they need to do is carry that permit with that person's name on there that they're going out and getting the deer for. That's all we need to have is what I'm trying to amend it to. And that to me is more of a customary and traditional subsistence. You're not going out there and sport hunt. You're subsistence hunting. That to me is more like subsistence hunting. You carry the license and everything, you're out there sports hunting anyway, so what's the difference? Why are we trying to do this? It's going to defeat our purpose. You know, why try to change something in the subsistence if we're not going to try to get, you know, what it should be, you know, on that part is what I'm getting at.

8

MS. EAKON: Mr. Chair.

9

CHAIRMAN OLSEN: Yes, Helga.

10

MS. EAKON: On the requirement of a valid hunting license those of you who have your meeting binder under Index Number 8, if you look at the Friday, May 29, 1992 regs that appeared in the Federal Register on that day, on page 22953, Section blank dash .6: Licenses, permits, harvest tickets, tags, and reports, paragraph A: To take fish and wildlife on public lands for subsistence uses, subsistence users must possess and comply with the provisions of any pertinent permits, harvest tickets or tags required by the state or federal permits, harvest tickets or tags as required by the board and must possess the pertinent valid state hunting, fishing and trapping licenses unless federal licenses are required or unless otherwise provided for in these regulations.

18

MR. SQUARTSOFF: Basically, in other words, it's saying we have to have

19

MR. CHRISTENSEN: A valid hunting license, and I don't see how you can go through any -- if you change it over to a subsistence permit you're still not doing anything better than having a valid hunting license and deer tags, the way I understand it. It should still go to the Fish & Game, and they should still plot it out.

23

MR. SQUARTSOFF: Well, Fish & Game has one in now that became effective this year, I believe, on that.

24

MR. CHRISTENSEN: What is the difference between having a valid hunting license with a permit system and

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Having a subsistence permit with Fish & Game, the same numbers are still going to be

2

MR. EVERITT: Mr. Chairman,

3

CHAIRMAN OLSEN: Certainly one thing here, I do say it says to take fish and wildlife on public lands.

5

MR. MORRISON: Mr. Chairman.

6

CHAIRMAN OLSEN: Certainly.

7

MR. MORRISON: I wonder if any of the Council members have looked at the State regulations on proxy.

8

MR. SQUARTSOFF: I have.

9

MR. MORRISON: But you don't feel that would take care of the need that you're expressing?

11

MR. SQUARTSOFF: No, I don't, because mainly the age limit in there and then plus they have a 30-day requirement, if you don't do it within 30 days then that's out. You've got to do the process all over again on the State one, the way I read it.

14

CHAIRMAN OLSEN: And I would also question, you know, those -- especially when we're categorizing an elder age situation, that we must consider not only the availability to a valid license in the rural areas as the department pulls out from many areas, but also the cost that is incurred by those that are unable to hunt themselves. That is my objection to the licensing system.

18

MR. CHRISTENSEN: Valid argument.

19

MR. EVERITT: Mr. Chairman.

20

CHAIRMAN OLSEN: Yes, Tom.

21

MR. EVERITT: One thing, it doesn't bother me to buy a hunting license, but there's a lot of people -- and especially in the village like Herman is bringing up, and he's told me where he's coming from on this, that a single mother with two or three children the hunting license is just a lot of money to her, and so if I felt that it would pass the Subsistence Board I would be in favor with going with Herman's idea of just requiring a permit so that there isn't an expense.

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1They still have to get a permit, hopefully from our local
office down there, and somebody would have to carry it, but
2either way is all right with me, but I was just saying Herman
was -- I think was because of the lack of money for some
3people, why do they need a hunting license, they're not
hunting.

4

MR. SQUARTSOFF: You know, -- well, Mr. Chair,
5that's -- too, it still don't -- to me that does not declare
subsistence, not when you've got to have a hunting license. I
6could be wrong but to me that's not customary and tradition of
going out and getting something, and we know it's happened in
7the past and it's done out of season and everything else, and
that's -- you know, that's customary and traditional use. When
8you need meat, you need to go get it, not, you know, when you
have to, or if you can get a permit to go out and do your
9subsistence hunting, then you can go do it. I mean I can't see
where you've got to have that license in there, especially when
10Tom mentioned that I mentioned to him, some of 'em can't afford
it. You know, why should they have 'em when you're going to go
11out and do it for them anyway, you know. It don't make sense
to me.

12

CHAIRMAN OLSEN: I certainly agree with that
13point there with you, Herman, very much that would distinguish
between a license and permit, that the license is bound by the
14law of the state, whereas a subsistence permit would not keep
you within the boundaries of times and limits set by the State,
15whereas customary and traditional use were used on an as-needed
base instead of to go the non-traditional way to stop pilot, so
16I speak. I think that would be the advantage over subsistence
permit use versus the State licensing as it is today. Also I
17think that would clarify the difference between sports hunting
and subsistence. I certainly look at it from that point of
18view. Yes.

19

MR. KNAUER: Mr. Chairman, what Helga read to
you was a part of the regulation that is, as we describe it in
20Subpart A, and it's part of the program regulation. It is not
subject to review at this time. Essentially it is in place and
21cannot be changed presently. It does require that all
individuals participating must have a valid, pertinent state
22license. There is a state license, a low income license that's
available to individuals in a low income situation for \$5.00
23That's right in the state program. It doesn't say in this that
you have to have the \$25, it just says there has to be a
24license -- a valid license. And that's what I'm trying to
point out also that the license aspect is already -- it is in
25place and it's not subject to change or modification at this

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time.

2 CHAIRMAN OLSEN: Yes, Bob.

3 MR. STOVALL: I've got a question on that. In
those regulations it just states that you have to have a valid
4 state license to hunt deer, it doesn't say anything about
having to have a valid state license to receive deer from a
5 hunter.

6 CHAIRMAN OLSEN: That's what I was getting at,
it says to take. In other words if I am to take it from there,
7 the person that is receiving it is not necessarily a taker. Is
that kind of the same thing you're saying?

8 MR. TUTIAKOFF: I think they mean take, they
mean hunt or knock down?

10 MR. STOVALL: Yes. That's what I would assume
it's saying there. It doesn't say that the person who is
11 receiving the game has to have a license.

12 MR. MORRISON: That's not correct. I can read
to you the regulation, if you like.
13

MR. KNAUER: Well, that's the State. In the
14 Federal -- the Federal Board has interpreted it as the
individual receiving the game is the -- I'll call them the
15 primary taker and someone who is actually just accomplishing it
for them. So the Federal Board in all cases previously has
16 determined that both individuals are "taking game" even though
one is doing the actual harvesting for another, and they, as a
17 result have interpreted it as both individuals require a
license. Now whether that's the low income license or the
18 other license, that would depend on the individual's own
circumstances.

19 CHAIRMAN OLSEN: First of all, has anybody here
20 ever tried to obtain one of those and the paperwork that goes
into it? Number one, it's not available out in rural Alaska
21 for them to fill out, and second of all, it's more than the
majority of them know how to put on paper.

22 I believe this gentleman here -- yes.
23

MR. MATHEWS: Yes. I need to identify myself
24 you can understand where I'm coming from. I work for the
Office of Subsistence Management. My name is Vince Mathews, so
25 gets on the record. I just want to clarify there is a

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definition of taking. I could read that to you. There's also a definition on the State side, but I think there's a little bit of confusion here. When you are sharing deer, that is not taking deer; you're taking your -- what you harvested legally under regulation and sharing with someone else. What I think the Council is discussing today is proxy; someone else filling in for you. That is different than if I go out and get four deer if I was a qualified subsistence hunter and giving it to someone else.

6 Then the last thing I wanted to point out is not in defense of the proposal, but it does say in the proposal that if before you not amended, it says, or otherwise cannot harvest or hunt for themselves. Maybe someone can correct me on that, but then the analogy that you gave of a single mother or other ones could fall under that, otherwise cannot hunt or harvest for themselves.

10 But the question I understand this proposal is asking, can someone substitute or proxy so another person can hunt? Otherwise you could have a scenario on the worse case side. I could then go out and hunt if I was a qualified subsistence hunter for a four-year-old. Okay, now is that person going to go out and hunt? Can they go out and hunt? No. So they need some qualifications. I think that's where the reason you have the tie in to the valid hunter. Obviously the four-year-old does need nutritional needs need to be met in a subsistence economy, but I think the proposal before you is to look at substituting. And if I'm off base I apologize for that, but I thought maybe you were crossing wires here with sharing and filling in for someone else hunting.

17 Thank you, Mr. Chairman.

18 CHAIRMAN OLSEN: Thank you.

19 MS. MYERS: Mr. Chairman. What I'm hearing in the proposed changes, the hunter and the receiver are both paying for a license, so you're actually double dipping the license fee for the same deer. You're paying two license fees for the same deer. The State's -- or the Federal, whoever, is double-dipping out on that deer. It's the same deer; why two licenses for that deer that's being taken?

23 CHAIRMAN OLSEN: I think one of my objections here in looking at this is that we can have an accurate information source and do my life-long living in rural Alaska, these reportings are often -- I would say the majority of time not documented because they're intimidated by the system.

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MS. MYERS: Might get in trouble.

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CHAIRMAN OLSEN: And therefore I don't -- can only use the Department's numbers as a guesstimate because I have lived in the areas where this has carried on. I don't think that is any support for our biological findings.

5

MR. MISHLER: Yes, I have a comment. It seems to me that there's no problem here in taking deer and giving them away to elderly, handicapped or otherwise unless the usual bag limit is exceeded. I think we're talking about special conditions when it undertakes more than an individual household bag limit, and that's when you're getting into a grey area here. So the proxy should perhaps have some mention of exceeding the usual bag limit as a condition for the proxy. There's no need for a proxy otherwise, right? If the bag limit is five deer, as it is in many places in Kodiak, and you give three away and you only need two for yourself, then there's no problem, there's no need for a proxy.

11

CHAIRMAN OLSEN: But that person that you are harvesting for still has an entitlement. Why should they be robbed of it?

13

MR. SQUARTSOFF: Mr. Chair, you have a -- Craig's trying to say -- you know, what we're trying to eliminate on that, too, Craig, is, you know, a person going out and getting it for the other individual. Like you said, there's a 5.00 -- you know, it might be 5.00 or whatever in the area, that person might need three or four, you know, or five. All depends what family size it is. If you're going to go out and give half of that away or more, you know, you're going to exceed that bag limit or -- in other words, you can't go out and get any more. You know, you're stuck. You either

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MR. MORRISON: Well, that's

20

MR. SQUARTSOFF: That's why we're trying to do this, and what I'm trying to get across is to do it on a permit and I can't see -- if we don't eliminate the license in there, it's not customary and traditional, it's not subsistence, it's sport hunting. You know, that's the way I see it. I don't know if it's wrong or what, but like the gal over there said, you got two people who are licensed for the same deer, you know.

24

MR. MORRISON: But it's not the same deer. Under the proxy system the person that's being hunted for gets

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those five deer. It's simply a matter that he or she has someone else shoot them for her and bring them in and turn them over to her. That other person can still take five deer on his or her own license.

3

MR. SQUARTSOFF: Right. But he has to have a license to go do it, and you've got to have a license for the person you're getting it for. I mean that don't make sense to me there.

6

MR. MORRISON: I think there's a common misconception about the purpose of a license. For one thing, it is not a purchase receipt of X number of deer or any other game.

8

MR. SQUARTSOFF: Right.

9

MR. MORRISON: It's like a driver's license or a marriage license. It simply allows you to engage in a certain act. You can't accumulate bag limits legally. The same way with a driver's license. If there are two of us in the car and I go 100 miles an hour because I'm doing 50 on my license and 50 on the other person's license, it's not legal. But in this case when we're talking about hunting on licenses, this proxy situation does provide for people who can't get out and hunt for themselves to have someone else shoot that game for them, but they still have to more or less pretend like they're the hunter insofar as getting the necessary paperwork.

15

MR. SQUARTSOFF: That same purpose can be obtained by using a permit. Why do we have to have a license? The permit can act the same purpose.

17

MR. MORRISON: The purpose is the identification for the animals taken.

19

MR. SQUARTSOFF: It could be logged in on the permit or the harvest tickets or whatever. They've got to have harvest, sure, fine. I mean why does it have to be a license. Why can't it be done by a permit?

21

CHAIRMAN OLSEN: I certainly disagree on that. That is not the same deer. I mean the scenario you have given of licensing would also be the same as I have a license to drive my car but do I have to go get another license to borrow your car? I certainly wouldn't think so.

24

MR. KNAUER: Under the Federal program, all participants, not just in Region -- or in Game Management

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Unit 8, but all over the state all individuals must have an appropriate license. They may, depending on the situation, also have to have a permit. It depends on the situation and the species. So normally permits serve a -- either a reporting purpose or a tracking purpose of harvest, especially in situation where there are either unusual circumstances or there is a -- an extreme concern about the population and the harvest necessity to, for some reason, stop the harvest in a population that is very, very low. So you've got permits in two different situations there. One, an unusual circumstance or, two, a concern for the population. So they are different than a license and serve a different purpose.

7

CHAIRMAN OLSEN: In the years gone by it certainly did start out with a subsistence use permit. In the fishing we did not have to have a license for it. The bag limits were still there. They were still reported. It was not restrictive. As to the restrictions that are being imposed on us today, that was a traditional subsistence lifestyle. I certainly am there for the accountability, whether it's for the numbers of resource or otherwise, but I have a hard time that the permit system has never even been addressed in this subsistence issues.

13 MR. SQUARTSOFF: You know, Mr. Chairman, you're talking about fishing right now. You've got three different ways of obtaining fish; sport fishing, subsistence and commercial. There's sport fishing, you've got to have a license; subsistence, you have a permit; commercial, you've got to have another commercial license. The subsistence there is defined for you. You can't do either one of the three or all at once. It's by permit, you know, it's basically that simple. You're going to go out and hunt, and you're going to do subsistence, why can't you do it by permit, why do you have to have it -- why do you have to have that license. Redefining sports, to me that's what I've been trying to get at. We're basically refining sports -- sport hunting. For that individual you've got to go and get it for her.

20

Fine, I can live with -- the guy that's hunting has got to have a license. But the one you're going to go get it for, I still don't see we should have one. I feel it should be just permit.

23 MR. KNAUER: Mr. Chairman, I don't think anyone is disagreeing with the viewpoint of anyone of the board relative to this, arguing yes or no. I think what we're trying to point out is that is the way the current regulations are written, and that area of the regulations is not open to change

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or amendment at this time.

2 CHAIRMAN OLSEN: Then what is our purpose?

3 MR. CHRISTENSEN: Why not? I mean

4 MR. KNAUER: You can modify the proposal as far
as who can hunt for whom, whether they could or not, whether
you even want it or are in favor of it. But currently the --
like you said, the bottom line is the requirement for the
license is still in there, and it can't be changed at this
time

7 MR. CHRISTENSEN: Mr. Chairman.

8 MR. KNAUER: whether or not you or I
agree or disagree.

10 CHAIRMAN OLSEN: Then on that same respect then
I am aware of the elderly 65 and over as in hunting and fishing
and what-have-you that -- after that age they do not have to
renew their license that, as my grandfather put it, it's good
till I croak.

13 MR. EVERITT: Yeah, he has a license

14 CHAIRMAN OLSEN: Why can't that license be
given to the subsistence user?

15 MR. EVERITT: He does. Under the State right
now, that's the way they do it.

CHAIRMAN OLSEN: But it has to be renewed every
year.

18 MR. SQUARTSOFF: Mr. Chair.

19 MR. MORRISON: All he has to do is apply for
it.

20 CHAIRMAN OLSEN: But I guess what I'm saying if
we cannot change that licensing issue I feel those that are
entitled to either subsistence or if he chooses, customary and
additional use, why would that license have to be renewed
every year? I mean if you're blind, you're blind, you're not
going to see next year. These are the things in correlation
that I feel that if it must be a license then

24 MR. MORRISON: The basic answer is, from the
State's perspective, because it's so long.

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MR. CHRISTENSEN: Mr. Chairman.

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MR. MORRISON: It's not a thing that can be changed here is the point that we're trying to make. We're not arguing for or against.

4

CHAIRMAN OLSEN: Well, that's not changing it, that's still a license, but it doesn't say that it has to be renewed annually.

6

MR. SQUARTSOFF: Mr. Chair, okay, right in here the rules and regs, the Federal Subsistence Board adopts these regulations, right? Isn't that where these regs come from?

8

MR. KNAUER: Subpart A, which is what this is under, is the Secretary's definition of the Federal program. Then Subpart B defines the Federal Board and its authorities and the councils and so on, Subpart C are the determinations that the board makes. That's rural and non-rural areas and also the customary and traditional use determinations, and then Subpart D are the annual seasons, bag limits, methods and means that are open for review and reconfiguration each year, and that's what these proposals are under, Subpart D, and the board is the one that makes the decisions on that. The board

14

MR. SQUARTSOFF: The board?

15

MR. KNAUER: The Federal Subsistence Board.

16

MR. SQUARTSOFF: Right, John, then that will make -- that could make this change.

18

MR. KNAUER: Okay, they cannot make a change in Subpart A; that's the Secretary that has set that up.

19

MR. SQUARTSOFF: Well, who gives him all his information on what it should be in there? Doesn't he take recommendations from the board on that? No?

21

MR. KNAUER: That part was established before the board was in place.

23

MR. SQUARTSOFF: Can't the board give him recommendations possibly on a change on that?

24

MR. KNAUER: That would be a separate process from this. That would be a situation where the Council in say

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1 its annual report would make a recommendation relative to
2 licenses.

2

MR. SQUARTSOFF: Well, all I'm getting at is
we've got to start some place; if we want to change it's got to
be started somewhere.

4

MR. CHRISTENSEN: Mr. Chairman.

5

MR. KNAUER: But what I'm saying is you've got
two different parts.

7 MR. SQUARTSOFF: Right. I know what you're
saying there. I know what you're saying,

8

MR. KNAUER: Okay.

9

MR. SQUARTSOFF: but I'm just trying to
get at to where it's coming from and who can do all the changes
on that. So as of right now we're basically stuck with this.

11

MR. CHRISTENSEN: Mr. Chairman.

12

MR. SQUARTSOFF: Whoever came up with this?
You know, I don't want to say it, but

14 MR. KNAUER: Yeah, that was part of the
Environmental Impact Statement process that occurred back in
190 when all this was -- when the Federal government was still
in the tentative interim stage. Between '90 and '92 there was
a impact statement prepared and something like a hundred
public meetings, and the regulations -- those parts were put
out for public review and then modified as a result of it.

18

CHAIRMAN OLSEN: Randy.

19

MR. CHRISTENSEN: Yes. I'd like to make a
couple of comments. Like Herman was saying, you have to start
some place. Now from what I understand, after we get a little
over halfway -- the third line on this regulation change,
that's the only thing we could change. The first part, it's
already been argued that that's already set as far as hunting
licenses. What we can change is the last two and a half lines.
Okay, now from my previous experiences is that in order to get
these changes you have to make it likable to the board because
you're going to have arguments from the -- you're going to have
arguments from the sport groups and the different groups that
say they have to get licenses, they're going to wonder why some
other people only have to have permits. Now I believe that if

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We get this changed as it is, we're getting our goal of changing the regulation of what we want here, to hunt by proxy for somebody who cannot hunt for themselves. If we get that changed, that's a start, and then go ahead and try and change to a -- with a different proposal to hunt by permit. 'Cause if you get too big of a change then you're going to wind up with nothing when it comes before the board. You want to be able to make the proposal likable so that they actually will change to our initial objective here.

6 MR. SQUARTSOFF: I see what you're saying.

7 MR. CHRISTENSEN: 'Cause if you get too many changes in there, then the whole proposal itself will be rejected. As it is right now, they may take it. They may not even take it the way it is, but the chance is better that they'll take it like this. Once that's passed, then you could go ahead and get a proposal to change the -- from a hunting license to a permit.

11 MR. SQUARTSOFF: We can't do that anyway

12 MR. CHRISTENSEN: And at least that would be a start, I would say. 'Cause as it is right now you're still going to get arguments, and if you change from a subsistence permit instead of a hunting license you're going to get arguments from different parts of the commercial industry who are guides, outfitters, also other sportsmen themselves. So my idea would be to change it as it is. I mean keep this and make that regulation change, and then go from that. That would be a start.

17 MR. TUTIAKOFF: Mr. Chairman.

18 CHAIRMAN OLSEN: I think Helga -- excuse me.
We'll get to you.

19

MS. EAKON: I wanted to fortify Randy's comments in that if you leave out the license requirement, the board is just going to knock this off, no discussion, because the requirement of a license is already in Subpart D, and as Bill said, if you do it -- if you act on this proposal as it is, keep the license requirement, you could address your objections and recommendations on the license in a Subpart D recommendation

24 MR. SQUARTSOFF: But you've got to do a whole new process on that, the way I understand now.

25

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1 MS. EAKON: Yes.

2 MR. SQUARTSOFF: See, I didn't understand it
from the beginning. Now I understand it.

3 MS. EAKON: Yes.

4 MR. SQUARTSOFF: But that's another whole
5 issue.

6 MR. EVERITT: Politics, called taxes.

7 MR. SQUARTSOFF: So like Randy is saying, you
know, is fine. The only other difference I have is that
8 65-years of age or older on that. Bring that down a little
more to within 18 to whatever or something like that. I'm
9 looking at my side of it, the younger women or disabled guy,
that's a young fellow or something that you go out for, instead
10 of having to be at the age of 65.

11 MR. MORRISON: I think at the time that the
State passed the bill to establish this proxy thing it just
12 didn't see all of the ramifications that might be important,
and settled on the blind or 65 or over or otherwise disabled,
13 you know, as being something that would probably cover all
circumstances. But at that time they didn't think deeply
14 enough, broadly enough to consider the other needs that people
might have for that type of a -- they call it a permitter
15 license or whatever, that opportunity. So it needs to be
approached from the very bottom, all the way up, to get a major
16 change established in it.

17 MR. SQUARTSOFF: Right, 'cause you go out in
your rural villages, you've got a lot of people that are
18 younger that can't go out and hunt, that can't -- they can't
even afford that. They don't have a gun, they don't have --
19 you know. They'll ask you, well, can you get me this, share
with me? You know, and the State's, like I said, it's got a 65
20 age group there and you can't do it.

21 MR. MORRISON: The only one discussion I've
heard about this somebody says, well, what about a pregnant
22 woman, she can't go out and hunt during hunting season, but
after she has a baby, she'll be ready to go again. So the law
23 is kind of just looking at people who were permanently
disabled, not temporarily. That's something else that ought to
24 be brought into consideration.

25 CHAIRMAN OLSEN: Certainly, in all due respect,

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the State never did recognize any of these issues from as long as I have been participating in these issues, and by the state not complying with ANILCA is another reason why we're at this table here today, to try to get these regulations that can be workable with the people that utilize them. So, yes, we do have a hell of a job ahead of us, but I think that the people can honestly see that we want to bring it back to subsistence and culture and traditional uses.

5

MR. TUTIAKOFF: Mr. Chairman.

6

CHAIRMAN OLSEN: Yes. Excuse me, Vince.

7

MR. TUTIAKOFF: I'd like to make an amendment - read out an amendment that I've been listening to and that I wrote down here that maybe you can use.

9

It says: a qualified rural resident hunter of Unit 8 in possession of a valid hunting license may take deer for another qualified rural resident with a license who otherwise cannot harvest or hunt for themselves in a customary and for traditional uses.

12

I've eliminated 65 years in age or older and I've eliminated blind and physically disabled, and added customary and traditional uses, which is basically what we're trying to get to at some point, and this would give us an opening to maybe change the licensing process to come back into traditional and customary uses, which is why the board -- which is why we're here.

16

MR. SQUARTSOFF: Mr. Chairman. Vince, can you read it one more time?

18

MR. TUTIAKOFF: Okay. A qualified rural resident hunter, I added in there, of Unit 8 in possession of a valid hunting license may take deer for another qualified rural resident with a license who otherwise cannot harvest or hunt for themselves in a customary and for traditional uses.

21

I think that pretty much covers all the legal ramifications, what I've read here in both sections in regards to the permit system and also eligibility of subsistence users which in this Federal Register is addresses traditional uses at least 10 times, and I think that in this proposal regulation change it should address it and make it part of the statement.

24

CHAIRMAN OLSEN: I certainly can accept that more easily.

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1 MR. EVERITT: Did you have Unit 8 in there?
2 MR. TUTIAKOFF: Yes.
3 MR. EVERITT: Of Unit 8?
4 MR. TUTIAKOFF: Hunters of Unit 8, 'cause this
addresses Unit 8 only, this Proposal 27.
6 CHAIRMAN OLSEN: Vince.
7 MR. MATHEWS: I just want to mention, and we
have to get confirmation from other staff, but in your
8 recommendation if you go this way if you adopt this proposal as
amended, you can address your concerns about licenses saying
9 that you have -- you know, you had difficulty with that and
wanted to advise the board on this. That could still be in
10 there.
11 And also back to the State actions, at that time I was
staff to the Board of Game. That was during the time that the
12 American Disabilities Act came into effect. This was somewhat
in reaction to the American Disabilities Act, not totally, and
13 obviously it was not looked at in all the ramifications of it,
and it was also in response to subsistence needs is where this
14 proxy came from. So there was two things, just to give you a
little history on that side.
15 CHAIRMAN OLSEN: And the flip side of that
16 day you might say is that when something such as the military
comes into our area it's liable to change our rural status. So
17 you see where you went from that date to where we are today,
it's not good for the people.
18 Yes, sir.
19 MR. MORRISON: I'm curious. Why is it
20 restricted to just Unit 8? Why wouldn't
21 CHAIRMAN OLSEN: That's all we are -- that's
our area, our region. Each region has their own council.
22 MR. MORRISON: That's what I don't know.
23 MR. TUTIAKOFF: Unit 8 is just Kodiak
24 MR. SQUARTSOFF: No, no, excuse me. Mark,
25 that's Unit 8, just the deer population right there in Kodiak.

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1 That's why we're just going Unit 8 on this for us.

2 MR. MORRISON: You're just making it for deer.

3 MR. SQUARTSOFF: Right. We didn't get into
like the State did for moose, caribou and all that; we're just
4 going deer.

5 MR. MORRISON: The State regulation is
statewide for three big game species; caribou, moose and deer.
6

MR. CHRISTENSEN: I've got one comment on the
amendment. I know there was an argument about having two
licenses, but I know that if you're 65 years of age or older,
8 your license is free, along with being 16 years or younger.
Would that affect omitting that or
9

10 MR. TUTIAKOFF: No, because

MR. CHRISTENSEN: having otherwise cannot
harvest for themselves, that alone, because if you cannot
harvest or hunt for yourself does that still give you a free
hunting license in the State?

13 CHAIRMAN OLSEN: That I couldn't answer.

14 MR. TUTIAKOFF: No, I think State

15 MR. MORRISON: (Indiscernible - interrupting)
free in
16

MR. TUTIAKOFF: clarifies 65 and older.

17 MR. MORRISON: in those ages groups.
18

MR. CHRISTENSEN: But as Vince was amending it,
since the 65 years of age or older is omitted and only have
otherwise cannot harvest or hunt for themselves, with only
those -- that wording, does that mean just about everybody
included in there? I'm not sure what the State regulations are
on having a free

22 MR. MORRISON: The State regs -- let me read
them.

23 (Indiscernible - simultaneous speech)

24 MR. CHRISTENSEN: For free -- free licensing,
'cause that's the
25

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1 (Indiscernible - simultaneous speech)

2 MR. SQUARTSOFF: No, that won't affect that.

3 MR. TUTIAKOFF: Well, I think that doesn't
affect -- that leaves it open

4 COURT REPORTER: Mr. Chairman.

5 MR. TUTIAKOFF: for Herman's concerns.

6 COURT REPORTER: I can't make a record for you
when everybody is speaking over one another -- please.

8 CHAIRMAN OLSEN: Okay. Excuse me.

9 COURT REPORTER: And I cannot hear
Mr. Morrison.

10 MR. MORRISON: Do you want me to move up there?

11 COURT REPORTER: Please.

12 MR. MORRISON: For the record, my name is
John Morrison. I'm the Fish & Game Department's Federal/State
Regulations -- Subsistence Regulations Coordinator. The State
proxy regulation would not require buying a hunting license by
someone over 65. However, the proxy regulation does not
include people in the lower age group who can get a free
license -- or don't even have to have one, period. So it's a
partial benefit then in that the person though who has that
65-year-old free permit would still have to get those tags of
the permits -- harvest reports which is no problem unless
they're way out and can't get to a place -- a vendor, you know.

18 MR. SQUARTSOFF: Mr. Chair.

19 CHAIRMAN OLSEN: Yes.

20 MR. SQUARTSOFF: Yeah, Randy, the way that he's
stated the amendment wouldn't even affect that at all anyway.
You know, it doesn't make any difference, they'd still have to
get a license and all that even though you took out the age.

23 MR. TUTIAKOFF: That eliminates Herman's
concern of cutting it off at say 65, you know. It gives a
person that's disabled, which is defined in State regulations.
I was looking here, just glanced through it, but I'm sure that
disabled is clarified as to what that is.

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1

MR. MORRISON: I'm just trying to think, it seems to me there is a State hunting regulation that a person has to be up to a certain age to be able to hunt big game. I can't remember that exactly.

4

MR. SQUARTSOFF: Yeah, Mr. Chair, I think it's 16, the age

5

MR. MORRISON: Sixteen, yeah.

6

MR. SQUARTSOFF: to obtain a license. Mr. Chair, I also, you know, since we couldn't do the changing on the license and all that, the only one thing that I would change was the age group to 18, but, you know, I'll still go with the proposal the way it was written in there, but I like more of what Vincent amended.

10

CHAIRMAN OLSEN: I think that certainly simplifies it a lot for what our concern is, and that is having to determine if somebody's blind and physically disabled, 65 years or older. And also under customary and traditional, that here again, it says a qualified.

13

MR. SQUARTSOFF: You know, Mr. Chair, I don't know if we would -- looking at it, too, though, if -- on the license where it says a valid hunting license take deer for another qualified rural resident hunter who possesses a valid hunting license, does that cover along also with their harvest tickets or do we need to add that in there? They automatically get their harvest tickets with the license, so we don't need to worry about that then if we're going to cover it.

17

CHAIRMAN OLSEN: The license is the only thing that makes you eligible for the tags.

19

MR. KNAUER: Mike Lockhart just gave me the information on how Southeast Council passed a similar -- or recommended a similar proposal. Their proposal said -- they amended it to say, a qualified subsistence user of Unit 4 may designate another qualified subsistence user from the same described area to take wildlife on their behalf, period.

22

CHAIRMAN OLSEN: Does the State qualify a subsistence user?

24

MR. KNAUER: That wording is similar to a qualified rural resident here. What they're essentially -- what they essentially passed was -- or recommended, I should

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say, was in the case of your Proposal 27 would be putting a period there midway in the third line after license. That was what Southeast Council, how they modified their Proposal 10.

3 MR. SQUARTSOFF: Mr. Chair. John, on what he proposed to amend, too, was the way he stated it it was a qualified rural hunter, that's pretty close to being the same, 'cause he added hunter in there instead of resident. He took resident out and put hunter in.

6 MR. CHRISTENSEN: I thought it was resident hunter.

7 MR. SQUARTSOFF: You know, qualify it to rural hunter is what I heard him say.

9 MS. EAKON: Qualified rural is a hunter.

10 MR. TUTIAKOFF: Well, I had originally rural resident hunter, but then, you know, if you want to change it, that's fine. I wouldn't mind subsistence -- qualified subsistence hunter, and another qualified subsistence user rather than rural resident. I mean they're both essentially the same. It's just a different term.

13 MR. MORRISON: I think in some of the discussions we've had in the past, they number into the hundreds now, when it says qualified subsistence or rural user or hunter, it means that they have been qualified by the Federal system to do the subsistence hunting under the circumstances that are described in the Federal regulations. And if somebody has been declared by the Federal system as qualified, then that takes care of it.

18 MR. TUTIAKOFF: Well, it says when you're a resident of rural areas.

19 MR. LOCKHART: Mr. Chair.

20 MR. CHRISTENSEN: Mr. Chairman.

21 CHAIRMAN OLSEN: One second here. Go ahead.

22 MR. MISHLER: Yeah, I was going to say under state law everyone in the state has -- potentially is a subsistence user.

24 MR. CHRISTENSEN: Right. I was going to mention why can't we just have it just a qualified resident in

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Both cases; why does it have to be rural and why hunter? Just resident.

2

(Indiscernible - simultaneous speech)

3

MR. LOCKHART: Under the definition under the Federal provisions qualified entails both rural residents and those who have customary and traditional use of those resources for that area. So qualified is encompassing under our Federal regulations.

6

CHAIRMAN OLSEN: Did you

7

MR. CHRISTENSEN: Well, I was just going to mention on that, rather than qualified rural resident, how about just qualified resident? Because this is Kodiak rural.

9

CHAIRMAN OLSEN: That's the main question.

10

MR. CHRISTENSEN: We're completely omitting Kodiak itself then, aren't we? Is Kodiak rural or is it

12

MR. KNAUER: I can answer two questions. One, Kodiak is rural, and secondly under the Federal program only rural residents may participate. That's the reason for the rural designation, and Kodiak is rural. In fact all areas in the Kodiak Aleutians Region are rural. You have no non-rural designated areas in your region.

15

CHAIRMAN OLSEN: Is there any in the state as of yet?

17

MR. KNAUER: Yes. There are about -- I think it's eight or nine that the Federal Subsistence Board has designated as non-rural, and they're found both in the regulations and in the handy-dan on page 4.

19

MR. MATHEWS: Mr. Chairman, speaking as a common person, you know, people have to know both these regulations. A good recommendation would be to put in their qualified hunter so if someone picks this one up and reads it and thinks that they qualify under this, I think it would be wise to clear up confusion. If it's just the word "qualify" that's causing trouble. We clarified it as a person, they have to have some kind of qualification and then they would know where to go. There's a lot of confusion out there. There's a lot of material to carry in the backpack when you're out hunting.

25

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1 CHAIRMAN OLSEN: Certainly.

2 MR. MATHEWS: So speaking as a hunter, I
wouldn't want to carry any more in my backpack. It would be
nice if qualified makes it clear to everybody that there's
something else that kicks in there. That would be a friendly
suggestion.

5 MR. EVERITT: Can we bring this to a vote, what
he's got there?

6 CHAIRMAN OLSEN: Well, would you like to read
the motion?

8 MR. SQUARTSOFF: Mr. Chair. Could you read it
again and make another change on it one more time?

9 MR. TUTIAKOFF: Well, I didn't make any changes
unless there's one recommended.

11 MR. SQUARTSOFF: I thought you changed it to
something about the qualified subsistence hunter, you didn't
change that, it's still rural resident hunter?

13 MR. TUTIAKOFF: I still had it down as rural
resident hunter because as was mentioned earlier in this
register that recognize subsistence and rural residents as
being both basically the same.

15 CHAIRMAN OLSEN: Yes, sir.

16 MR. WILLIS: Mr. Chair, I'd like to make a
suggestion to Vince on the wording there. Having gone through
two years of the proposals, he said, as I recall, a qualified
rural resident of Unit 8 make take deer for another -- what was
the next part, Vince?

19 CHAIRMAN OLSEN: Qualified.

20 MR. TUTIAKOFF: Qualified.

21 MR. WILLIS: Rural resident, okay. You need to
add another "of Unit 8" after that, otherwise it will say that
people in Unit 8 can take game for rural residents anywhere in
the State. We all know what we're talking about but the next
guy probably would misunderstand it.

24 CHAIRMAN OLSEN: Technicality.

25

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1 MR. TUTIAKOFF: Yeah, good point. You want me
to read it now as a motion?
2
A qualified rural resident hunter of Unit 8 in possession
of a valid hunting license may take deer for another qualified
rural resident user of Unit 8 with a license who otherwise
cannot harvest or hunt for themselves in a customary and for
traditional uses.
3
CHAIRMAN OLSEN: There's a motion on the table.
Do I hear a second?
4
MR. SQUARTSOFF: Second.
5
MR. EVERITT: We already have a motion on the
table.
6
MR. TUTIAKOFF: This is an amendment.
7
CHAIRMAN OLSEN: An amendment to the motion.
Excuse me, yes. Is there any further discussion that we'd like
to cover at this time then on this amendment?
8
MR. CHRISTENSEN: Call for the question.
9
MR. TUTIAKOFF: Helga, do you think that this
is qualifiable for even consideration by the Federal
Subsistence Board? I mean that's who we're making this
recommendation to.
10
MS. EAKON: I'm still trying to ingest this.
Give me a few moments. Do you want to hear any of the
biological analyses and socio-cultural analyses
11
MR. EVERITT: I would like
12
MS. EAKON: or are you guys going to vote
now?
13
CHAIRMAN OLSEN: Well, we're still under
discussion.
14
MR. SQUARTSOFF: We've got a motion on the
floor.
15
MR. EVERITT: I would like to vote on this and
through the rest of this so we can talk about it.
16
MR. TUTIAKOFF: Question.
17

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1

CHAIRMAN OLSEN: Well, we're still on
discussion though. That's part of it.

3

MS. EAKON: We're just voting on the amendment
right now.

4

CHAIRMAN OLSEN: Oh, okay, yes. Excuse me. On
the amendment itself. Excuse me. Yes.

6

MR. TUTIAKOFF: Question.

7

CHAIRMAN OLSEN: Question has been called.
Those in favor of the amendment?

8

IN UNISON: Aye.

9

CHAIRMAN OLSEN: Those against? It passes in
favor of the amendment.

11

MR. TUTIAKOFF: Now back to the main motion.

12

MR. CHRISTENSEN: Why couldn't we just pass it
all at once, just a motion as amended?

13

MR. TUTIAKOFF: That's

14

MR. CHRISTENSEN: Rather than two motions, just
pass the motion as amended by Vincent. That would just kill
two birds with one stone.

16

MR. TUTIAKOFF: How is the amendment.

17

COURT REPORTER: You must vote on your
amendment and then vote on your main motion.

19

MR. TUTIAKOFF: That's how you're supposed to
do it, right?

20

CHAIRMAN OLSEN:

21

MR. TUTIAKOFF: Yeah, we have to go through it
procedurally. We've approved the amendment, now we include it
as one whole motion. Now we have one left.

23

The first motion was to adopt Proposal 27.

24

MR. CHRISTENSEN: That's fine.

25

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1 MR. TUTIAKOFF: There's a procedural way to get
this done.

2
MR. CHRISTENSEN: I just thought you could pass
the motion as amended, the same motion just as amended. But we
can do two.

4
CHAIRMAN OLSEN: Did you have something,
Herman?

6 MR. SQUARTSOFF: Yeah, Mr. Chair, I would also
like to -- what's the fellow's name again? Excuse me.

7
MR. MATHEWS: Vince Mathews.

8
MR. SQUARTSOFF: Mr. Mathews, he also mentioned
earlier that we could still add-on, you know, down in there
saying, you know, that we had a long, lengthy discussion on
licensing and all that. And I

11 MR. MATHEWS: I returned to Bill and Helga on
that, but in your recommendation, I think after you pass it you
can have a discussion, I suppose or resolution or something to
the effect that you're telling the board that looking at it
this is your proposal, number one. The board's going to be
interested that you changed it, number two. And then you would
be flagging why you changed it because of your concern about
the license requirement, if that's the main focus of it. And
some way you would get that across to the board to start your
movement to address that issue, and then later on in your
annual report -- I'm summarizing here for you -- for your
annual report then you would include this in -- your concerns
in your annual report about this licensing thing, and now I'll
have to defer to Bill on that, on when the A or B or whatever
action comes up again at that point. But you're flagging the
board twice; once in your recommendation here, if that's where
you're going to go, two, in your annual report and three,
whenever this other

20
CHAIRMAN OLSEN: Yes, Herman.

21
MR. SQUARTSOFF: Yeah. Mr. Chair, yeah, the
reason that we're doing this to this proposal that we submitted
is weather -- it wouldn't allow it for us to get together down
here to work on this proposal. We just couldn't get together.
Weatherwise we couldn't get in to Kodiak. People that got to
Anchorage, they couldn't get together. That was the reason
that we have to do it now.

25

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1 MR. MATHEWS: I was just mentioning it from the
board, 'cause when I worked with other boards if a proposal
2 changed the person submitting it, the board generally wakes up
and says well, what's going on here, and it's good to clarify
3 to the board why you're having problems with your own
proposals.

4

MS. EAKON: You stated in the minutes of the
5 last meeting that a subcommittee was going to get together, so
if we clarify that the weather didn't allow that, that's a very
6 good reason for this amendment here.

7 MR. EVERITT: Mr. Chairman, when we met we
discussed getting something on the table because of the time
8 parameters, and that we would discuss it at this meeting, and
it was the proper order for us to do it. I don't think we have
9 any problem with you explaining that to them, or them
understanding.

10

CHAIRMAN OLSEN: Certainly. And it was due to
11 that meeting that we did not achieve it beyond the stage that
it is now.

12

MR. SQUARTSOFF: Mr. Chair, could I

13

CHAIRMAN OLSEN: Certainly.

14

MR. SQUARTSOFF: Mr. Chair, could I ask for
15 about a 10-minute break?

16 CHAIRMAN OLSEN: I could certainly utilize the
10 -- I would like to call a 10-minute recess then, please.

17

COURT REPORTER: Off record.

18

(Off record - 2:31 p.m.)

19

(On record - 2:55 p.m.)

20

CHAIRMAN OLSEN: I'd like to call the meeting
21 back to order, please. In review of our proposal and amendment
here I think at this time I'd like to call on Robert Willis
22 here for our biological analysis on what we have accumulated
here this afternoon.

23

MR. WILLIS: Thank you, Mr. Chair. The
24 biological analysis will be really short because we don't
really anticipate any serious consequences from this action,
25 the designated hunter. A rough estimate of the number of deer

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On Kodiak Island is approximately 100,000 animals. About 70,000 are thought to occur on the National Wildlife Refuge, with populations the highest on the southern third of the island. We all know that deer abundance on the island is primarily a function of winter weather conditions with declines following a series of severe winters, but fairly rapid recovery when winter conditions are favorable.

5 Under current regulations the residents of Kodiak Island are recognized as having customary and traditional uses of deer on Unit 8. The total population in 1990 for this unit was 13,309 residents, which includes the Kodiak Coast Guard Station, with a little over 2,000 residents. Since deer were introduced in 1924 they've been harvested on an annual basis by the local residents, and extensive sharing of deer for consumption is amply documented in all of the villages, although to a lesser degree in the Kodiak city itself and the Kodiak Coast Guard Station.

10

It's rather difficult to analyze how many extra deer would be harvested under a proxy system. We know that there is proxy harvesting going on at the present time, especially in the outlying villages. We made an attempt to estimate the number of people who would be utilizing the proxy system. At a rough guess this would be about -- we estimated 542 persons over the age of 65, and about 1,300 residents who might be incapacitated or unable to hunt. Ever since you've modified your amendment to eliminate the age and disability restrictions, then that's no longer of any consequence.

16 Any additional harvested deer that might occur if this proposal was adopted for the six predominantly Native villages where extensive sharing has been documented is not expected to have a measurable impact on the deer population. With respect to Kodiak city and the Kodiak Coast Guard Station where extensive sharing has not been documented, at least among a majority of the population, adoption of the proposal might result in some local impacts of deer populations, but would probably not affect the health of the deer population as a whole except perhaps during and after a series of severe winters. And I would suggest that in the conditions of series of severe winters when populations are down, these regulations would be addressed once again if there was some concern about the population.

23

There are situations where proxy hunting might result in an abuse of the principles for which it's intended. To what degree that might occur is, of course, very difficult to analyze. We all know that the possibility is there but we have

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no way to measure it. There was some concern about the term or otherwise unable to hunt as applied to residents who could not hunt for themselves, but, again, your modification of the original proposal would also address that issue.

3

We had two letters from the public in support of Proposal 27. Both of these thought that it was a better-worded attempt in some previous attempts at defining or providing for proxy hunting. And we had one letter, an objection. The Alaska Department of Fish & Game felt that the definition of those who cannot harvest or hunt for themselves was too broad and needed further definition.

7

And I believe that concludes our presentation. Are there any questions?

9

CHAIRMAN OLSEN: Go ahead, Bob.

10

MR. STOVALL: Okay. There is additional information on the Kodiak road system and city and Coast Guard Base for harvesting deer that the Refuge has available to you.

12

MR. WILLIS: Thank you, Robert.

13

CHAIRMAN OLSEN: Go ahead, Tom.

14

MR. EVERITT: Well, I have some questions. One, I didn't see this until Thursday, which I felt was -- that I didn't have a chance as a member of this board to respond to some things, to get back to whoever was doing this, and I had problems with it when I read that I knew, as a public person, of the summaries that were done in Kodiak, what the Wildlife Refuge had done, and when I read this it instantly -- my first feeling was that wait a minute, Kodiak wasn't even -- was the Refuge down there, the biologists that they have and the Refuge manager, did they know what was being done in Anchorage. And as I read this I thought, well, gosh, I was in this subsistence survey, it took hours he sat with me and I answered questions on the road system and we're using a 1982 survey. I had already seen last spring of the deer harvest that -- out of all the hunters that come to Kodiak, when Fish & Wildlife goes out and checks hunters, they keep a record, and out of 124 hunters that they checked it came up at 75% of them were not Kodiak residents. They were off-island; Anchorage, out of state, and as we only make up about 22% of the hunters out there. And, you know, for -- I just don't like what I read about the road system that we're going to have an impact on it because we're only talking 22%.

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1 And I went out to the bear refuge when I got this paper,
and I laid it down in front of the refuge manager and I said,
2Where's all the stuff that we had for information? It's not
even in here." And his reply was -- he says, "Well, I haven't
3seen that. We didn't do that." I says, "Well, didn't you have
any input in this?" "Well, not that I know of." And I
4thought, wait a minute, we have a full staff down there,
biologists, that are working our area, and I wondered did they
5have input in this?

6 And so I have a concern that -- not against you or the
Anchorage staff, but was there a communication problem that
Kodiak was never asked for information to put this together?
And so as a board member, I have a real concern that it just
7looked like me that there was some sort of a communication
breakdown between who wrote this up and the men that are
8working out in the field. And I would like to see those men
out in the field have some input into this, because I think
9they're first-hand. And so it was just a concern that
developed to me.

11

MR. WILLIS: Okay, Tom. There was input from
12the Refuge. I can actually speak only for the input provided
for the biological analysis. I was not the team leader who put
13this together. Mark called my name so I came up to present it,
but, yes, the estimates of population and so on, we were in
14contact with Robert down at the Refuge. George Sherrod, our
anthropologist put together the documentation of use, so I'll
15have to get him to talk about that.

16 I'll call your attention to the conclusion where you were
upset that we said there would be an impact to deer population
17around the City of Kodiak. What we said was, the proposal
might result in local impacts on deer populations but probably
18would not affect the health of the deer population as a whole.
I think that's an accurate statement.

19

You've got to realize that where you don't have hard
20information the board asks you to make observations anyway. We
have to try to identify any possible impacts that might occur,
21and if we have hard information on how much of something is
occurring, we'll say so. We'll say, this happened. In
22situations like this where we don't know, but we know that
there is a possibility, then we'll say it that way, there may
23be some impact.

24 This is not an indictment of anybody by any means, it's
just calling to the attention of this council, maybe people who
25don't live in Kodiak and don't know the situation, and to the

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attention of the board, but this is a possibility. We don't consider it to be significant.

2

My biological analysis, which was modified somewhat to put into the overall analysis, says there may be a slight increase in a number of deer harvested if this proposal is adopted, however, it is not expected to be significant. Deer populations in most portions of Region 8 are healthy and can absorb any small increase of harvest which may result from this proposal. Those areas of the region having smaller deer populations are not likely to attract significant numbers of hunters seeking to shoot multiple deer or other subsistence users who cannot hunt for themselves.

8 Does that answer some of your concerns?

9 MR. EVERITT: Yeah. I just felt when I read this that if I was on the Subsistence Board it might really raise some flags, say, oh, wait a minute. But this staff proposal, I couldn't read the staff analysis if they were for it or against it, and I would like to see us work together, that if what we're doing has some biological problems that we know it, we don't want to go up there with us wanting something and staff recommending in the office here, talking to themselves, talking to the men on the Subsistence Board, gosh, that's not a good idea, it's voted down. I want to get a proposal to them that I'm pretty sure, hey, we've done it as the subsistence users. Fish & Wildlife, biologists say, yeah, the stock can handle it, and have a good, sound proposal to go forward. I just kind of didn't pick up that. I wasn't that positive when I read this, and maybe I was just -- maybe a little emotional when I read that, and I thought where is all this good data that was available that we should have used, and I think that's probably what bothered me most is that the real numbers are -- the Kodiak hunters are not what is shooting most of the deer in Kodiak. It's non-resident hunters, 75%, and I think this was the second year that this survey was taken, and the numbers are there. The local residents aren't going to bother the deer herd. 75% of the deer herd is taken off-island, and if we had a subsistence problem, we can cut down the number of deer that non-resident hunters can shoot and control it. And so I hope when this is redrawn that there are more things brought into it. And I want to make sure that Robert gets all the information from the Refuge down there when this is drawn.

24 MR. WILLIS: Well, this has "draft" stamped on every page of it, as you'll see, and we're in the process -- we're still analyzing, we're still gathering information.

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We're here to get information from you today, and we were under a very tight deadline. You're upset that you didn't get that until a few days ago. You should have seen what we went through just to try to get this out. See, normally I would not make a recommendation on a deer season till later in the year after we've been through the winter and we know what we're dealing with. And this was written up in December -- late December because of the time required to get it reviewed by our management people and then it came back to me and I had to redo some things, and they looked at it again, and then it's got to be printed, it's got to be bound, it's got to be mailed out. It takes two to three weeks to get mail to some of the outlying areas. So we've been under a real time crunch to get information to you, and that's why it's in a preliminary form. And there will be some other additions and changes probably before it goes to the staff committee and to the board.

9

I don't know about the interview data that you're talking about, you know, and the harvest data and so forth I haven't seen that. Robert and I have been talking back and forth on this, and so has Dick Marshall in our office, and so I don't know what you're -- I really don't know what you're talking about there, because I haven't seen it. We did request comments from Refuge's division.

13

And as far as being for or against, you'll notice these are conclusions and not recommendations, and this is what we were told to do by our management staff. At this stage tell us what your conclusions are about the impacts or the effects. The Fish & Wildlife Service has no official position as yet on any proposal, you know, for or against. And that's why I can't give you one today. All I can say is we anticipate no biological impact. And, you know, the management implications as far as working out license situations and permit situations and so forth with the State, that's -- you know, that's management, that's not biological impact.

19

MR. EVERITT: Well, I would definitely hope that the numbers and such, that whoever does these kind of analyses has all the input that's out there that's been established, and I guess when I read it I didn't see it, and I just hope that gets to you. That we can have everybody working together from Kodiak and Anchorage whose drawing this up.

23

MR. WILLIS: I had a little more biological data which you don't have there. See, I have a five-page biological analysis form. Obviously all of that is summarized and put into a narrative. You never know how much somebody wants to see and hear, and this group has only a few proposals

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to deal with. I just came from Southeast Alaska, we had 17 proposals down there, and it took three 12-hour days to get through all of it. And so I can -- you know, I can get you a copy of some additional information. I don't have that interview data you're talking about, but there is some additional data on harvest in my biological analysis.

4

MR. SQUARTSOFF: Mr. Chair. Yeah, Tom, you know, we should have worked -- we tried to work on this proposal as a group down there. We had a designated set time to do it. Weather-wise it didn't allow it. This coming year we need to allow ourselves, the board, more time. We're going to get a proposal or two or three and whatever to allow ourselves more time to work on that proposal than what we had. We had a kind of tough situation on there as we just formed the council. A month later we had a deadline to get one in. That didn't give us much time, and I think that, you know, you're saying there was kind of a lack of communication between the two of 'em, where I thought personally that they did a well done job of helping us get it in there in a limited amount of time we had when we finally did submit it. It was basically up to us to get this submitted in. They kind of helped us out on that.

13 So -- but next year, I think, we know when the deadline is, we need to sit well ahead of time -- a couple of months ahead of time to try to get working on our proposals than we did on this last one. I think they did a well done job on it, Robert and them down there and the staff up here helping us on this proposal -- this one anyway. Thank you.

16

CHAIRMAN OLSEN: Yes, Robert.

17

MR. STOVALL: Yeah, I just wanted to say that Robert Willis and I have been -- and the Refuge have been in constant contact. I supply information the second I'm asked of it, and there are sometimes if I don't get asked, I won't supply the information. And that's maybe what has happened. I do have other information and I only want to give information that I think is pertinent, and I wasn't sure whether the deer hunter checks are pertinent because they only do it on one side of the Refuge. But if that's information that I should have given to you, then I was remiss, because I had that information by the end November, early December. If had known it would have been pertinent, I would have gotten it to you immediately.

That's where our communication has to improve, and this is a first go-round for all of us, I guess, and that's exactly what we're doing here is working it all out. And I think things will improve as the process continues on us along the way.

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MR. MISHLER: I should say, too, in response to Tom's critique that there is a 1991 Road System Harvest Survey that was done by Alaska Department of Fish & Game in cooperation -- in fact it was funded by the Fish & Wildlife Service, and that report is available to you. If not

4

MR. EVERITT: We all have it, it's available to us.

6

MR. MISHLER: Oh, you have it?

7

MR. EVERITT: Uh-huh (affirmative).

8

CHAIRMAN OLSEN: Was there any other questions that should be addressed in the biological analysis? Thank you, Robert.

10 Maybe we can now hear a little bit on the socio and cultural analysis by George Sherrod.

11

MR. SHERROD: I'm George Sherrod, with the Fish & Wildlife Service. There's not much, I don't think, to add to what Robert has said. It was hard to attempt to basically project the degree of additional use based on the fact that as written it was somewhat vague as to what that group is that could not hunt for themselves; how broad that group was in terms of the number of people that would potentially qualify for a proxy hunt. Although not in this particular summary, we had a proposal similar to this from Southeast. One of the key factors in that analysis was the fact that there is a very limited number of individuals capable or willing to actually hunt for someone else. In that analysis we looked at the number of hunters taking less than the limit, the number of hunters taking over the limit, and the number of hunters taking exactly the limit. The assumption is that only from that body of hunters taking exactly one bag limit would these individuals have gone on. That is if you didn't take a bag limit basically you could have taken an additional deer to share. If you took over the bag limit, and we had a fair amount of data collected by the Division of Subsistence that indicated a number of hunters had taken over. You weren't constrained by the regulation. It was only from the small body of individuals that took exactly one bag limit that you could assume that there would be a hunter that would have taken more except the regulations prohibited from doing that. And that body of individuals was less than 4% of the total population.

25 So I would have to concur with Robert, we've got what

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appears to be a healthy deer population and we've got probably a very limited body -- I heard discussions about not everybody can hunt, they don't have the equipment and so on or the time, a very limited body of individuals that would be willing to actually go out there and do it. So it would seem that the potential for -- although we can't exactly nail it down because we've got some -- we don't know what the demand is, so we don't have good data, that's it's probably a minimal impact.

5

MR. SQUARTSOFF: Mr. Chair.

6

CHAIRMAN OLSEN: Herman.

7

MR. SQUARTSOFF: Can I question? Where did you get our information and data from? You're saying people that were limited or willing to go out and hunt for somebody else. Where did you get this information?

MR. SHERROD: There was a study done in Southeast by the Forest Service and ADF&G

11

MR. SQUARTSOFF: That was done down in Southeast Alaska.

MR. SHERROD: Right. But it was a hypothetical. So there was not a similar study done on Kodiak. I mean one of the things -- and this is true throughout the state -- we have a lot of areas in which we simply do not have the type of data we need to be definitive on these questions. A lot varies, particularly in the sociological, and we are looking at studies that are 10, 15 years old. Some places we don't even have studies. Most of the villages on the Delta, for example, don't have studies. Yes.

MR. SQUARTSOFF: Well, then when you state something like that then maybe you should state the area where you did the study or something, 'cause it caught me right away when you said, well, there was a limited amount of people. In our area there's going to be no problem for people that are willing to go out and hunt for somebody else. You know, that caught me right there -- you know, where are you getting your information from when nobody came around to talk to us. That was the reason.

MR. SHERROD: Demographically there is a finite number of group. Not everybody of 10,000 population is going to go out there and hunt, although we don't have the exact figures on the number of hunters, and I would -- although I haven't got the data, I would believe that probably not

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everybody in Kodiak or on the island actually filled the five bag limit. But it's important. You know, you're bringing information to us that we don't have. That's one of the reasons, I think, that this body exists, because you are local people, and we sit here in Anchorage and deal with matters on a statewide level. And if you have information as to the potential degree of impact, that's the type of information that we need and may not have access to.

5

MR. SQUARTSOFF: Mr. Chairman, I'm kind of glad we are bringing this information out. To me, like I said, I heard that I kind of myself took it and interpreted it wrong. And just like the regulation a while ago that we argued -- or I argued the point so much on. I mean where did they get their information, you know, to put some of these things in the regs.

You know, things like that. There are so many things that are printed or put in the regulations. I feel there isn't much public comment -- enough public comment done on it, you know. Some of the staff will whip something up here and there and will -- we did a little study in this part of the state here and they pertained it to the whole coast or something like that. I mean to me that's misinformation. I don't know. But I'm glad now that we're formed and helping to give you guys this information. Maybe things will get done. Hopefully it will be a lot more helpful for you guys to do some of these things. I took it wrong right away when I heard you say that a limited amount of people, you know, and that's why we're pushing so hard down there in the Kodiak area to try to get this through, that we can do this.

16 CHAIRMAN OLSEN: That certainly brings me back to our old subject here, once again, that we have just discussed hearing biological and socio and cultural. There certainly seems to be no concern for the number of deer or to their populations that this, once again, we are looking at the numbers of our particular area, Unit 8, as to how many people are off-island hunters. I have heard not any input from the biggest users of our rural residents. Where do those numbers come into put the pressure against the subsistence user? Where does the license bring in more information that are necessary to come up with these conclusions? To me that's kind of saddening. I feel that just about anything else in our world, when we are looking for answers, we go to the experts. Who are they? They're the users. Why are not they involved in our analysis, biologically or otherwise? It certainly does bring me back to that same old reason: Who is benefitting from that license, what is its justification? It certainly doesn't seem to be hanging on anything that we have discussed.

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1 Is there anybody else that would like to comment here with
Mr. Sherrod? Thank you, George.

2

Moses, at this time can we call on you for some public
summary here?

4 MR. DIRKS: Moses Dirks, with the Fish &
Wildlife Service. Robert did the public comment summaries
already at the -- towards the end of this biological analysis.

So what I want to do is I did a summary -- tried to do a
summary on public comments, and each of you were provided with
the summary -- list of summaries. And I tried to include with
it the documents that were sent in to the office by the people
or by the public so that in case you wanted to look at the
documents they were there in their entirety. So at the margin
you see the document numbers, so those are the references that
you could use to look at the documents, if you need to do that.

If you needed to look at -- I mean some of the documents are
pretty lengthy, so in case you have any questions that you --
if you want to look at it, it's there for your use.

11

MR. TUTIAKOFF: I got lost, Moses. What form
that that you're talking about, a letter you sent to us
or

13

MR. DIRKS: Each one of you have a Summary of
Public Comments, that was during lunchtime, so you should have
those. And on top of that -- yeah, you have them there. Okay,
on top of that on the margin right here you have the document
numbers. Those are the copies that are sitting underneath or
on top of that, so in case you wanted to look at the document
as a whole thing, because some of them are pretty lengthy,
those are there for your use, too. So that's all I have from
management.

18

I think Robert will be doing the public comment.

19

MR. WILLIS: I did.

20

MR. DIRKS: Oh, you did them already.

21

MR. WILLIS: I just mentioned a number of
letters that we got in support of and opposition and very
briefly what they said.

23

MR. DIRKS: Okay. The Proposal 27, we had two
support of it, but they were kind of not really -- didn't
have all the information, so they didn't know if they should
support it or not support it, so I've listed them down as in

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support and also in objection to the proposal. So they said that this was a better worded attempt at providing proxy hunting, and they were still concerned about the different parts of the proposal.

3

And there was one proposal objecting to Proposal Number 27 which was ADF&G, and they thought this proposal on proxy hunting in Unit 8 contained phrases "or otherwise cannot harvest or hunt for themselves," they thought it covered many unspecified and temporary conditions, such as work commitments or brief illness that would qualify under that definition, and in addition to this criticism if you wanted to see the comments that they made, I provided those with them -- so you have those.

8

And like I said, on Proposal 27 these same people that had supported the proposal also had objection to it because of the wording or the requirements under state regulations. So they were kind of, you know, vague on that.

11 That's all on the public comment on Proposal Number 27.

12 MR. SQUARTSOFF: Mr. Chair.

13 CHAIRMAN OLSEN: Yes.

14 MR. SQUARTSOFF: Moses, what do you mean they had -- on the wording on the State regulation part of it, the age or something or what?

16 MR. DIRKS: On Proposal Number 27?

17 MR. SQUARTSOFF: Right.

18 MR. DIRKS: The age limit to cover too many unspecified and temporary conditions. So the age -- did I say about age limit?

20 MR. SQUARTSOFF: No, you were just saying they had -- they commented or something on it about the State's wording or something. That's what I was curious about, if it was the age part or what they were disagreeing on.

22

MR. DIRKS: Yes, I think it was the age part, and then they were saying with the age limit it could not only include the 65 and older but also the younger child that can't do any hunting. It would, you know, mean also those people, too, so it wasn't really specific.

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1 MR. SQUARTSOFF: Mr. Chair, that's basically
what we try to do. Thank you, Moses.

2

CHAIRMAN OLSEN: Thank you, Moses. At this
time I would like to invite any public testimony that might be
involved here on Proposal Number 27. Is there any more
discussion on this proposal? Hearing -- yes, Helga.

5 MS. EAKON: Mr. Chair. I would be interested
in finding out what Robert Stovall had. He had mentioned that
he had information about Coast Guard.

7 MR. STOVALL: I'm Robert Stovall, Kodiak
National Wildlife Refuge. The Coast Guard had submitted a
letter to the Federal Subsistence Board asking why they had
been exempted from the fishing regulations, and the Federal
Subsistence Board wrote back explaining their reasons why the
Coast Guard Base had been exempted from the Federal Subsistence
from subsistence fishing on Federal lands.

11 Essentially the Coast Guard Base is an entity that is not
truly a traditional and customary -- do not have a true
lifestyle of traditional and customary use. I'm paraphrasing
the letter that I'd much rather read to you. They didn't say
in that many words. In fact they said it in a lot more
words. And as far as I know, the Coast Guard has not responded
that letter.

15 I think Helga wanted me to find out what our thoughts were
on whether the Coast Guard would be included in a designated
poxy hunter situation, and from the Refuge standpoint, once
again, keeping in common thought with the letter that the
Federal Subsistence Board had already sent about fisheries,
which went on the assumption that -- and is still going on the
assumption that the same exemption from the federal subsistence
hunting of deer would be the same as it was with salmon.

19

That's all I can think of.

20

MR. KNAUER: Excuse me. Correction on that.
There is no exemption for Coast Guard people as far as hunting
deer; the exemption only applies to fish.

22

MR. STOVALL: Okay.

23

CHAIRMAN OLSEN: Any question on that? I know
certainly know that in the Coast Guard, number one, I think
my biggest objection is that we have absolutely no control with
the government as to many personnel they're going to bring into

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our community which would, in fact, jeopardize our status of rural or non-rural. I would say that would be my personal biggest objection.

3 Secondly of all, is it a qualified person? Many of these people are not residents of Alaska, but I know the government has made provisions in that case. So as I look at their benefits, if you will, I could ask them the same reason, why am I not allowed to go to your commissary? Certainly they have made provisions for those people. Now we are only trying to establish provisions to thus -- of those of us people that live in our customary and traditional uses of the game which we speak.

8 MR. STOVALL: I only have one other thing to add. I would like to get a clarification from the Federal Subsistence Management Staff as to what policy there is for other military bases in Alaska for subsistence if they do or they don't, and if there is a policy, what the policy is.

11 MR. KNAUER: Yes, Mr. Chairman. Relative to military bases, there is no specific designation relative to military bases. There are only rural and non-rural areas, and if a military base falls in a non-rural area, such as Fort Richardson or Elmendorf, falling within the Anchorage non-rural area or one up in Fairbanks, then they are non-rural and do not qualify. Adak also is a non-rural area, so the military there would not qualify. If they fall in an area that is rural, such as previously was the case at King Salmon and Galena, then they were qualified users.

16

Does that answer your question?

17

CHAIRMAN OLSEN: I'm just kind of stunned by hearing Adak is not rural. I certainly know that

19

MR. KNAUER: I think that was a

20

CHAIRMAN OLSEN: census are not

21

MR. KNAUER: That was a little bit of a recognition that the only residents on Adak were the military and those associated with government, and might have been a way to get maybe what you're thinking, but just basing it on rural and non-rural.

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CHAIRMAN OLSEN: The certainly fits one foot but not the other.

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1 MR. KNAUER: There have been other expressions
of concern regarding residents on military bases, but there's
also been concern because some individuals on military bases
are Alaska residents, have been for many, many years, and
probably will continue to be. So there was concern both ways.

4 CHAIRMAN OLSEN: Yes, I certainly do not
discriminate by any means against any military people. That is
not why I question it, but it does jeopardize us as a user
group. That's my objective and concern only, that it does not
put us into a status that is unfavorable to our goals.

7 MR. SQUARTSOFF: Mr. Chair, that would only be
if Kodiak Coast Guard Base grew a lot, you know, you would have
to worry about that one.

9 CHAIRMAN OLSEN: Kodiak and Sitka are, as I
understand, the two communities that are
10

MR. TUTIAKOFF: Potential.

11 CHAIRMAN OLSEN: potential though.
Kodiak is the largest Coast Guard Base in the United States or
probably the world. How does it fit?
13

MR. SQUARTSOFF: Like I said, only if it grows
all we have to worry about it.

15 MS. MYERS: We recently received notification
that Kodiak Island has been selected as the new launch site --
government launch site, so that could increase our military
presence on the island quite a bit and with contractors and the
people constructing the launch site itself and their engineers
and all the specialists who will be brought in, I'm not sure
what the numbers are, but they said it's going to be quite a
few. I'm not sure, listing to what was said, if military
personnel aren't eligible for subsistence fishing -- well, that
makes sense, I guess, in some aspects, but if they're not
eligible for subsistence fishing why are they eligible for
subsistence hunting? Why are the bag limits the same as a
subsistence hunter? Why couldn't they be just a little less?
Why is a guy living in a barracks allowed to shoot five deer,
the same as a guy living in the village allowed to shoot five
deer? This doesn't make any sense. What is he going to do
with it?

24 CHAIRMAN OLSEN: It certainly does bring it
into question, what is a single person doing living in the
barracks going to do with

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MS. MYERS: Five deer?

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CHAIRMAN OLSEN: five deer?

Secondly,

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MS. MYERS: I mean it doesn't mean they're going to go out and shoot them all, but they have the permission -- or the -- you know, the harvest tags to do so if they so choose.

6

CHAIRMAN OLSEN: To follow-up though, we on Kodiak Island are looking at a new launch site. Kodiak is a growing place. The percentage in Kodiak is as high, if not higher than any place else in the state. These are critical things to look at, a big concern. I for myself, I grew up in Kodiak when the population was 300, myself. Do I look that old? Thank you for not saying anything. Herman.

10

MR. SQUARTSOFF: Yeah, you do, Mark, now.

Mr. Chairman, I don't know, the way I read it in the paper is when the people do come in it's not going to be year-round or there's going to be that many people. It's going to be when they're doing the launches, six to eight weeks or something would be a decent amount of people there, and then they would go back down. And then I don't think -- you know, I could be wrong, but don't quote me on it, it's not the military, it's a private one funded by the Air Force. It's not a military

15

MS. MYERS: It's private contractors, but it will still increase the population.

16

MR. SQUARTSOFF: Well, it will a bit, but to me, I don't know, I might have read it wrong, but I don't think it's going to be impacting Kodiak that much. It will help some economy-wise it will bring a few people in, but

19

MS. MYERS: I just brought it up as a -- you know, as an example of how even though we are still a rural area, our population is always increasing.

21

MR. SQUARTSOFF: Mr. Chair, the one we've got to worry about down there is the Moonies coming in, not a few other people here and there.

23

MS. MYERS: Yeah.

24

MR. SQUARTSOFF: That's going to impact us a lot.

25

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1 MS. MYERS: Exactly. 10,000 is a lot.

2 MR. MORRISON: Yes, there may be outside
civilians doing this, but what do you bet they arrange all
their launches during hunting and fishing season?

4 MS. MYERS: You betcha'.

5 MR. EVERITT: On the light side, Mr. Chairman,
on the growing of our community, there's another
counter-balance there. Did everybody did notice a for sale
sign in front of Fish & Game a week ago? So I see we're
gaining some and losing others. Did you see that? It said,
"Call Wally."

8 CHAIRMAN OLSEN: I think we're going backwards
on that direction. Not untypical, I guess. Do we have any
more discussion at this time?

10 Well, I must say that amongst a few of us here
today that we have kind of run this around, and as a whole the
group seems a little more settled down. I don't know whether
we're getting tired or want to go home, but it certainly has
come down to a point now, I think it's time to call for a vote
on this proposal.

14 What is the with of the committee here; would you like to
have ballot or

15 MR. EVERITT: Do we have to vote on the first
one, vote that down? What's the parliamentary procedure?
Would the first

17 CHAIRMAN OLSEN: As amended.

18 MS. EAKON: No, just vote on the

19 MR. TUTIAKOFF: Just vote on Proposal 27.

20 CHAIRMAN OLSEN: As amended?

21 MR. TUTIAKOFF: Right, as amended.

22 MR. KNAUER: Your previous vote amended the
proposal and you did pass the amendment. So now you're ready
to vote on the amended proposal.

24 MR. TUTIAKOFF: I move to accept Proposal 27 as
amended.

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1
CHAIRMAN OLSEN: As amended.
2
MR. SQUARTSOFF: Mr. Chair.
3
CHAIRMAN OLSEN: Mark.
4
MR. SQUARTSOFF: Yeah, we probably should do it
5 by roll call vote or ballot, either. Probably should be a roll
call vote on this thing.
6
MR. EVERITT: Is that what you wish?
7
CHAIRMAN OLSEN: Yes, okay. I can understand
8 that.
9
MR. EVERITT: Mark Olsen.
10
MR. OLSEN: The chairman only votes in case of
a tie, right? That's not in this case. I vote to accept it,
11 yes.
12
MR. EVERITT: Vincent?
13
MR. TUTIAKOFF: Yes.
14
MR. EVERITT: David's not here. Thomas? Yes.
Herman?
15
MR. SQUARTSOFF: Yes.
16
MR. EVERITT: Hilda (sic)?
17
MS. SHELLIKOFF: Gilda.
18
MR. EVERITT: Gilda?
19
MS. SHELLIKOFF: Yes.
20
MR. EVERITT: Randy?
21
MR. CHRISTENSEN: Yes.
22
MR. EVERITT: Okay.
23
CHAIRMAN OLSEN: Well, I guess we have come up
24 with a proposal that will hopefully give us a little more
latitude with our goals in common here.
25

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1 MR. TUTIAKOFF: Mr. Chairman.

2 CHAIRMAN OLSEN: Yes.

3 MR. TUTIAKOFF: I'd like to make note that in
regards to Proposal Number 27 that we should write a separate
letter regarding the issue of permits and why this action is
being taken and changing the proposed regulation to what we've
come up with in regards to licensing for people who cannot or
otherwise harvest for themselves. I guess that was the issue
that finally we came up with this -- we're trying to get to a
point where we can change the Federal regulation to allow those
individuals 65 or older or people who cannot -- or are disabled
or whatever the criteria is that they specify here, to change
the licensing process to Federal, that this does not -- this
stands alone, that the licensing issue is a separate issue. So
that we don't get bogged down or this goes to the Federal
committee, so they don't question it as to why the permit
system is separate. I think that's important to note there.

11 CHAIRMAN OLSEN: I personally feel very
strongly with you on that, Vincent, and I have discussed that
to a small degree here, and I think it is in order to at least
let them know what we are aiming at.

13

MR. TUTIAKOFF: By consensus of the committee
here or the commission to direct the chairman to do that. Is
that okay? It doesn't have to be a motion or anything,
just

16 CHAIRMAN OLSEN: Just an order.

17 MR. TUTIAKOFF: Yeah, just some kind of an
order.

18

CHAIRMAN OLSEN: Okay. Well accepted.

19

MR. SQUARTSOFF: Mr. Chair, so what you're
saying then, Vincent, you want to let them know why we're doing
the change what we did?

21

MR. TUTIAKOFF: Right.

22

MR. SQUARTSOFF: Also I would think we should
include in there that we weren't able to get together as a
Council to work on this proposal also besides the other -- with
the discussion like

25 MR. TUTIAKOFF: Right, as a committee they

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didn't meet

2 MR. SQUARTSOFF: Right, both of those being in
there on the comment on there someplace.

3 CHAIRMAN OLSEN: Did you get that, Moses?
Which one are we on now?

5 MR. TUTIAKOFF: We're back to Proposal Number 1
or what?

6 MS. EAKON: 28.

7 MR. TUTIAKOFF: 28?

8 CHAIRMAN OLSEN: I think at this time a break
would be in order for a few minutes again.

9 COURT REPORTER: Off record.

10 (Off record - 3:46 p.m.)

11 (On record - 4:01 p.m.)

12 CHAIRMAN OLSEN: I would like to call this
meeting back to order, please. If we can follow-up on our
agenda here, coming down to number under G. addressed as
Remaining Proposals. I think the next proposal eminent to us
at this time is Proposal Number 28.

15 MR. TUTIAKOFF: I move to adopt Proposal Number
28.

17 MR. CHRISTENSEN: Second it.

18 CHAIRMAN OLSEN: Moved and seconded. Do I hear
discussion?

19 MS. SHELLIKOFF: Mr. Chairman, yeah, we had a
meeting in our village and our community was concerned that
once this gets in the regulation with no open season that it
will be hard to get back to an open season, and so I'm not sure
exactly of the wording, but I was thinking we could put an
amendment in there, something to the effect to have the Fish &
Wildlife Service work with the communities of Cold Bay,
Nelson Lagoon, False Pass, and King Cove, and have an annual
review of the status of the South Alaska Peninsula herd. You
know, something to that effect. It will be -- they'll have the
communities involved. 'Cause right now most of the time the
decisions are made without the communities' input.

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1

CHAIRMAN OLSEN: I think that's happened
before. Is Mr. Willis here?

3

MR. WILLIS: Would you like me to address that
concern?

4

CHAIRMAN OLSEN: Certainly.

5

MR. WILLIS: I think I forgot to state my name
for the record before. I'm Robert Willis, Fish & Wildlife
Service, also Subsistence Management.

7

We're aware of your concern, Gilda, on that issue, and
also have the letter that was sent down from the False Pass
Tribal Council voicing that concern. The letter stated: We
realize that the caribou herd is down real low and the
importance of getting the herd back up to a healthy population,
however, we feel it's not necessary to change the regulations
but just keep it as an emergency closure until further notice.

11

First of all, the Federal regulations differ from the
State regulations in that if the State regulations are not
specifically changed then they continue until the next year.
But the Federal regulations are not like that. They disappear
every year, and then a proposed rule for new regulations is
published every year. So, in other words, this closure, if it
is passed, will be revisited every year until such time as it
is reopened again.

16

The Federal temporary closure is just that, it's a
temporary closure for a specified period of time. I believe
it's limited to 60 days, and so you cannot pass a temporary
closure and then say that's going to remain in effect until the
herd comes back up. You know, the temporary closure runs out
in 60 days and then you have to deal with it on an annual
basis

20

MR. KNAUER: One year.

21

MR. WILLIS: Excuse me. Bill says one year. I
don't know where I got 60 days. I thought it was a 60-day
period. But at any rate, these regulations disappear every
year and have to be revisited every year, and there's certainly
intent to close this season and keep it permanently closed.

It's only until such time as the herd recovers to the point
where there's again a harvestable surplus available for
subsistence use.

25

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1 I can go ahead and give you the biological breakdown on
that, if you would like. But, you know, whatever that you
are

3 CHAIRMAN OLSEN: I'm just trying to recollect
here what's being said. As far as the closure cannot be
reopened

5 MR. WILLIS: Okay, what I said was that first
of all, an emergency closure is for 60 days, and what this is
is a temporary closure which is for one year. So I just had
the two -- I swapped places with 'em there. The Federal
Subsistence Regulations have to be rewritten every year. They
don't just continue on if nothing is done, like the State
Regulations do. So the temporary closure was put into effect
on this caribou hunt last year in August. It's good until
August of 1994.

10 CHAIRMAN OLSEN: To stay closed.

11 MR. WILLIS: To stay closed, yes. At that time
that regulation disappears. Now what will happen between now
and then is that the board will make a decision on whether to
make that regulation good for another year, okay. At the end
of that year at next -- we have a board meeting this year in
April 1994, and April 1995 and in the proposed rule that will
be looked at again. We'll get population data this year and,
you know, next winter's counts and it will be looked at again
next year and a decision made whether or not the herd has
reversed its trend and it's ready to reopen the season. If
not, another one-year closure will go into effect -- or we'll
recommend for another one-year closure. If the board passes
that, then the following year is another year's data, we'll
look at it again and to see if the herd has reversed its
declining trend and started back up so that it can be hunted
once again by the local people.

19 MS. SHELLIKOFF: And I think one of the reasons
was suggesting that they work with the communities involved
is so that the communities would have whatever information that
the Fish & Wildlife has and so that they can be informed and
have some idea what's -- you know, what's taking place, and
maybe they can have some suggestions, you know, some input as
to how to get this -- how to manage it so that it can get back
on.

24 MR. WILLIS: Well, the Refuge staff has been
visiting Cold Bay and Nelson Lagoon, King Cove, and False Pass
for the past several years and holding public meetings, and

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1t's my understanding that the local people are aware of the
situation, that the herd has been declining for several years.
2

MS. SHELLIKOFF: I know when they put up this
notice for closure, they had scheduled meetings to come to
False Pass, but the weather was bad that day so they just
called a few people. To me that's not having a meeting and
informing the community.
5

MR. WILLIS: Well, it's my understanding this
goes back several years, not just talking about this year and
the emergency closure, but there have been public meetings held
in communities over the past several years to let them know
about the declining health of the herd. That's my information
from the Refuge.

MS. SHELLIKOFF: I don't know. I live out
there. I haven't seen much meetings.
10

MR. CHRISTENSEN: Say, Robert, not to ruin you
guys' train of thought here, but on this -- I'm a little
confused. On Proposal 28 at the top it says 1994-95 proposed
regulation. And then the next one is a proposal for a
regulation change. Is that just a misprint or is that the
existing regulation. You're not proposing a regulation and
then proposing to change the regulation, are you? You see what
I'm saying here? What's that proposed regulation or is that
existing regulation? Do you see it on Proposal 28?
15

MR. WILLIS: Yes, I see what you're saying.
16

MR. CHRISTENSEN: Is that existing regulation
or
17

MR. WILLIS: Bill, you want to speak to that?
I didn't write this format, so I'm not sure I can answer.
19

MR. CHRISTENSEN: I'm a little confused on how
that's worded.

MR. KNAUER: Robert mentioned that the annual
regulations are just that in Fish & Wildlife Service -- most
federal government's have gone away every year, so in September
the Fish & Wildlife Service
23

MR. CHRISTENSEN: Oh, okay. Right.
24

MR. KNAUER: essentially
published

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1

CHAIRMAN OLSEN: Proposal 28.

2

MR. KNAUER: the regulations from last year. Now there were some changes within there that was mentioned to you at the last meeting. You know, like there were some definitions that were changed and some things like that. But for the most part they republished what was in effect.

6

MR. CHRISTENSEN: So it's basically an existing regulation.

7

MR. KNAUER: For the most part, yes.

8

MR. CHRISTENSEN: All right. Okay. I just

10

MR. KNAUER: When we get into a case where it's not the same, we'll try and highlight it.

11

MR. CHRISTENSEN: It just -- the wording was a little confusing.

13

MR. KNAUER: I agree.

14

CHAIRMAN OLSEN: So in fact the proposal for regulation change then, are we looking at temporary or emergency request or no open season?

16

MR. WILLIS: Neither one of those. Those are two terms for two in-season actions; two things that the board can do during a season or just prior to a season to close it if there is some emergency situation. What we're dealing with here is a regulation for the next year. Okay, that's not considered a temporary or an emergency, as I understand it.

19

Is that right, Bill?

20

MR. KNAUER: That's correct. It equates to a temporary in that it's just for one year.

22

MR. WILLIS: Yeah.

23

MR. CHRISTENSEN: Okay.

24

MR. TUTIAKOFF: My question this is I think for clarification of those people involved in those communities, when this proposed regulation goes out, I'd recommend that no

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open season also be included with temporary closure so that they're aware that when they see this as a temporary thing that it's not -- to them, to the people out there that don't deal with the various agencies on a day-to-day basis, would not understand is that no open season, would that never happen again? I think that's what the feeling is that we're getting from False Pass and King Cove and Nelson Lagoon is that they're never going to open it again regardless of what the herd might do. I mean they might increase in the next three years to 20,000. That might be a number exaggerated but to them when they see no open season, they're saying, well, it will never open again. I think it needs to be clarified maybe to the communities that when they read this it's a temporary closure, meaning one year and every year it will be annually reviewed.

8

MS. SHELLIKOFF: Or even if you just have the statement about an annual review so that they'll know that it's being reviewed annually.

10

MR. WILLIS: I'm not sure what the legal requirements are for writing a regulation, so I'd have to defer that to someone else to -- as to how that could be worded. Certainly it's the intent to reopen it as soon as there are harvestable animals available. But I would have to ask someone else who knows more about how the regulations can be written as to how that could be put in. Can you help?

14

CHAIRMAN OLSEN: Is there any biological analysis on the number of caribou that justifies either way?

16

MR. WILLIS: Yes, absolutely. We have excellent information on the populations, calf counts and so forth, and I'll be glad to present that to you. Maybe Bill could speak to Vince and Helga to Gilda's concerns about how to write the regulation. Then I'll go into the biological analysis, if you like.

19

CHAIRMAN OLSEN: Certainly. Thank you.

20

MR. KNAUER: As far as the regulation goes, that is sort of supplementary information and direction to the staff and as a result it would not appear in the regulation itself. One of the things I might point out is on page 18 of your book it indicates that the harvest would cease if the population fell below 2,500. So conversely if the population is above 2,500, both Fish & Wildlife Service and Alaska Department of Fish & Game have indicated that there would be a harvest if the population were above, and particularly if it were expanding. So that's found there in the second paragraph

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on page 18.

2 CHAIRMAN OLSEN: If it should fall below 2,500
it says the level is now below 2,000 animals, so I have a hard
time understanding why then there's still a season.

4 MS. SHELLIKOFF: There's not a season.

5 CHAIRMAN OLSEN: There is no season.

6 MR. TUTIAKOFF: The process of events was that
there was an emergency closure issued in '93, July, June,
somewhere in there -- August?

8 MS. SHELLIKOFF: August.

9 MR. TUTIAKOFF: And then what came about now is
a temporary closure to close it on a year-round basis for
year-to-year? That's what this is for.

11 MR. WILLIS: Right. The temporary closure was
passed in August because a regulation had already been set to
allow a season, and then the summer counts were done and they
found that the population had dropped below that threshold
level where a season could be allowed, and so they had to move
to close it. The State passed an emergency order to close
State and private lands and the Federal Subsistence Board
issued a temporary closure to close Federal lands. That
happened in August, just prior to the season opening last year.

16 CHAIRMAN OLSEN: So it's still in a
temporary

17 MR. WILLIS: Still under a temporary closure,
right.

19 CHAIRMAN OLSEN: Vince.

20 MR. MATHEWS: I hope I don't confuse this, but
this is where I work as a request for consideration and special
actions. And basically what the board did in August, it had a
temporary closure which falls in with in one regulatory year,
okay. There's -- 'cause people are also throwing out terms,
emergency closure. Emergency closure is only for 60 days the
board can do that. So everybody's correct but some are wrong.
Why I say that is if this is passed a year from now this same
regulation that closes this season will be up before the board.
So, yes, it is kind of temporary, but it's not temporary
underneath what the board can do. I know that's confusing, but

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I'm trying to bring it up so that you understand when you testify -- whoever testifies before the board, if you say temporary closure, they're going to be thinking on in-season. Like Robert said, in-season management. This proposal is asking to follow-up on an in-season management. You've got a problem out there, you need to shut it down this season. This proposal is saying now we need to go beyond that authority for temporary and put it into regulation that goes and is reviewed in a year from now.

6 Did I confuse everybody on that? But we've been throwing out temporary and emergency when you have to be very careful with that. It's now temporarily closed. The proposal is asking to close the season for regulation purposes, and that will be up again in another year just like all the other regulations.

9

CHAIRMAN OLSEN: Now on your emergency closures for 60 days, is that a minimum or a maximum?

11 MR. KNAUER: It's a maximum.

12 CHAIRMAN OLSEN: It's a maximum of 60 days. So it can be reopened within

13

MR. MATHEWS: The option on emergency is that you don't have to go out and have a meeting in the area, et cetera. Temporary requires that. Emergency is a real emergency. A temporary is a difficult situation that you cannot waive until the proposal cycle goes through to float one out. So one is a yellow light, that would be temporary; an emergency would be a red light, if I can use those analogies.

17

CHAIRMAN OLSEN: But here again on a temporary closure then you have the right to reopen it within 60 days or after 60 days?

19

MR. MATHEWS: A temporary can be defined by the board. The lack of any temporary change shall be confined to the minimum time period or bag limit determined by the board to be necessary to satisfy subsistence uses. That also couples in -- I'm not trying to muddy up the water, but that also couples to the viability of a particular population, too, and that's what's causing this, if I can get agreement from others as to what's causing this closure is because the population is -- the viability of it is threatened. So under temporary

24

CHAIRMAN OLSEN: Temporary is one year.

25

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1 MR. MATHEWS: It can be up to one year. It
could be less than one year, but if you go to an emergency,
2t's 60 days flat out, yes, max.

3 CHAIRMAN OLSEN: Sixty days maximum of that
emergency order, whether it's declining stocks or not able to
4get out there and make a physical count or something of that
nature that doesn't require more action to renew it. The 60
5days, I guess that's confusing me. Where is the 60 days, what
does that allow to happen? Certainly, Bill.

6
MR. KNAUER: Mr. Chair, the emergency and the
7temporary, with a capital E and a capital T, are government
procedural terms, okay. The intent of the emergency closure is
8an immediate situation that requires right now action. And the
maximum that is allowed under that is 60 days. Part of that
9time is in there so that additional work or examination of a
situation is available. For many seasons that 60-day period
10encompasses the entire season so there is no need for further
action. Some seasons in the state might be longer than 60
11days, and so in a situation such as that the Federal government
may utilize capital T, temporary procedures which are good for
12up to a year, and it's usually not in an emergency situation.

13 Now, the regulations that we're talking about that have to
be reviewed annually because they disappear would be of a
14temporary nature with a small t in that they disappear every
year and they have to be reformulated every year. So that's
15part of the difference. We're throwing around some
bureaucratic terms which are confusing you, along with some
16formal person terms.

17 CHAIRMAN OLSEN: So the way I understand it
then on an emergency closure it basically buys 60 days to find
18out whether it warrants a temporary closure or a reopening?

19 MR. KNAUER: That's correct. Or it thoroughly
covers the season and you don't have to do anything until the
20next regulatory year.

21 CHAIRMAN OLSEN: But if it doesn't lapse the
season does it come back to

22

MR. KNAUER: To what it was previously.

23

CHAIRMAN OLSEN: Without any further action --
24no other further action is taken then it would reopen
automatically, okay.

25

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1 MR. CHRISTENSEN: Theoretically, yeah.

2 MR. SQUARTSOFF: Mr. Chair.

3 CHAIRMAN OLSEN: Yes, sir.

4 MR. SQUARTSOFF: You know, you're talking that
60-day emergency closure, but can you split that? It has to be
5 a flat 60 days?

6 MR. KNAUER: Up to. That's up to

7 MR. SQUARTSOFF: Right. Because the way I'm
looking at this proposed regulation what it was was there was
8 two different seasons, one August 10 to September 30, and
December 1 to March 31. Your saying it could delete the whole
9 season there, then 60 days but it's in the split. You know,
two different periods of time. See, that's what I was looking
10 at, too, if you did your 60-day emergency closure, that only
follows for that one season, if you looked at it that way.

11 Am I understanding that right?

12 MR. WILLIS: That's correct. That's why they
13 use the temporary

14 MR. SQUARTSOFF: And then if things went
well

15 MR. WILLIS: closure.

16 MR. SQUARTSOFF: then the other season,
17 December 1, March 1, would be able to be open,

18 MR. KNAUER: If they

19 MR. SQUARTSOFF: you know,

20 CHAIRMAN OLSEN: If no action was taken.

21 MR. SQUARTSOFF: Right.

22 MR. KNAUER: if the conditions warranted.
And that's one of the reasons why they use the temporary --
23 capital T procedures because they had an extremely low count,
and within that time between September 30 and December 1 they
24 did not anticipate any recruitment to the herd -- you know,
you're not going to have any calving in that period, to speak
25, or no additional additions to the herd. The only thing you

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Would possible have are removal from a herd if you allowed hunting to continue.

2

MR. SQUARTSOFF: Mr. Chair, I've got another comment on this here, too. Well, if you guys knew this was happening from 1983 up to the present, you know, I imagine you must have been doing your studies and all that and everything else. I mean why wasn't something done well before now to kind of regulate this and see what was really going on or try to do some of these temporary -- back then 'cause it's showing a decline from 10,000 down to fewer than two now. You know, I mean all of a sudden, you know, now they can't hunt period. I mean what come up -- I guess you're going to tell us what came up in your analysis and everything of what's been happening for the past 10 years. I mean to me it seems like you guys should have done something before -- I shouldn't say you guys, whoever was doing the -- should have been doing something well before now. This has been going on for 10 years.

10

MR. CHRISTENSEN: It does say that things have been done and they haven't been working.

12

MR. SQUARTSOFF: Yeah, but I mean

13

MR. WILLIS: I can answer that easily enough, Herman. First of all when the herd began to decline it was not because of over-hunting; it was because they had built up to a level where they were destroying the habitat that they lived on. The range was being over-grazed and they began to decline. Well, the first thing that was done was that the sport hunters were eliminated -- that was some years ago -- I've got the exact year here somewhere -- in order to save what was left of the harvestable surplus for the subsistence user. The herd continued to decline. There's really very little you can do, you know. We could have gone in and tried to shoot more in order to keep from destroying the range, I suppose, but that's a fairly remote area, and there's very limited amount of things you can do. In fact I don't know what you would do when they've over-grazed the range a lot of them are going to die. They're going to decline to the point where the range begins to come back, and when that happens the herd will start back up again.

22

MR. SQUARTSOFF: Mr. Chair. Well, if you know, you know, you know what's going on, it sounds like this temporary thing is going to be a little longer than a temporary. Any other island something close by -- I mean is there any way that some of them could be transferred or put on another island? I mean if you're thinking what it's saying

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Here is that they were over-grazing the area or the habitat. I mean to me it looks like that was half the problem. I mean like the reindeer did on Harvester (ph)

3 (Indiscernible - simultaneous speech)

4 MR. WILLIS: Just pick 'em up and move 'em,
huh?
5

MR. SQUARTSOFF: I mean if they can -- they did something. I mean you guys can move -- I imagine you looked at it all, I don't know. I mean that's a possibility. You try to do

8 MR. WILLIS: Believe me if there was something that could be done, something would have been done. It's in the nature of caribou populations to rise and fall very dramatically. The 40-Mile herd has been as high as half a million animals around the turn of the century and it's crashed to just a few thousand. Now it's coming back up to about 40,000. The Mulchatna herd is in a dramatic increase right now, and probably in a few years it will start to decline for the same reasons. So we mere mortals have a limited amount of influence over these things. In this situation what you're trying to do -- we've been watching the herd. It's been going down, and we feel certain it's because the range is just being over-grazed, and it's down to the point now where you need to back-off and try to save as many as possible. You don't want to be shooting animals that might survive. The population is low enough now to where most of them are probably going to survive. There will still be some mortality, but you want to protect those that are going to survive until they can start building back up again. A lot of times you've got to go nearly to rock bottom simply because you don't have control.
18

MR. SQUARTSOFF: I understand that. But in other words what's going to have to happen is they're not going to get caribou and what you guys are going to have to do is kind of sit and watch and basically see what happens. In other words, nothing can be done. You know, it's kind of a sad situation. The caribou side and their side both, you know.

22 MR. CHRISTENSEN: Mr. Chairman. Would it be -- you say right now that the herd is declining still, and that's because of over-grazing?

24 MR. WILLIS: Uh-huh (affirmative).

25 MR. CHRISTENSEN: So the chances are that it

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Will start increasing because the herd is declining, they're not going to over-graze any more, correct?

2

MR. WILLIS: When they get down to a certain level, right.

4

MR. CHRISTENSEN: What level is that?

5

MR. WILLIS: We don't know exactly,

6

MR. CHRISTENSEN: Don't know what level that is.

7

MR. WILLIS: Randy. You know, we

8

MR. CHRISTENSEN: Would it be acceptable to -- I know you're probably going to fight to not have an open season. Would it be acceptable to both parties to have a limited caribou hunt -- subsistence hunt?

11

MR. WILLIS: We don't think so, not at this point.

12

MR. CHRISTENSEN: I'm looking at 200 a year might be too big of an impact. Would it be, you know, acceptable to have some sort of a hunt?

14

MR. WILLIS: Well, it may continue to decline whether it's hunted or not, but at this point you don't want to subject those younger animals to any mortality than can be avoided. There were a couple of years where there was a calf production failure prior to 1990, and you're depending on your calves that were born after 1990 to reach reproductive age and successfully reproduce. It may be at rock bottom now. We don't know for sure, you know. 2,500 was an estimate that was come up with by the State and the Fish & Wildlife Service. If it falls below that level we better shut it off and shut off the hunting and let them maintain themselves as best they can until they can start to come back up. It's dropped below that level. It's down below 2,000 now. I suspect it is very nearly bottomed out for the area. We estimate that that area will support about four to 5,000 caribou on a sustainable basis. Of course, as I said, you have a limited amount of control. You can harvest only so many animals, you know, when you get up to that level. And that's what happened before, the herd got up to 10,000 on a range that would support only four to 5,000 simply because there was not enough people harvesting animals and not enough predation to keep them at that four to 5,000 level. And this is something we have a limited amount of

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control over.

2 MR. CHRISTENSEN: So you feel that if there's
any kind of a harvest at all it might just completely go
extinct, it's possible?

4 MR. WILLIS: That's right.

5 MR. CHRISTENSEN: I'd like to ask if -- ask
Gilda if the people in your area, are they willing to let this
happen or are they believing this? Would they still want to
hunt with the findings of the Fish & Wildlife?

7
MS. SHELLIKOFF: Well, there are certain people
that -- most people are trying not to hunt but, you know, you
always have some that will go out. And some people are trading
with other places that are open, like they trade some seafood
for caribou. But what I'd like to do is on this proposal where
I'd like to move to make an amendment after each no open
season also US Fish & Wildlife work with False Pass,
Nelson Lagoon, Cold Bay and King Cove and have annual reviews
with the communities reviewing the status of the South Alaska
Peninsula Caribou Herd. And that way, you know, just have
reviews with the communities so that they can see, you know, is
there any progress being made. And I think the more
information people have, if it is still declining really bad,
the less, you know, the people that are hunting, you know, it
may give them some incentive not to.

15
MR. CHRISTENSEN: Well, personally, I'd be
willing to go along with that proposal change if you feel
that's going to be good for the people in your area since it's
not going to affect me. I'm willing to go along with what you
feel

18
CHAIRMAN OLSEN: Maaik, did you

19
MS. MYERS: Well, he answered it. I was going
to ask if any of your studies determined what you considered to
be sustainable herd size,

21
MR. WILLIS: Yeah.

22
MS. MYERS: would be at four to 5,000?

23
MR. WILLIS: Right.

24
MS. MYERS: So after it reaches that number
where you think it's a healthy number, the land can sustain

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them, they won't over-graze, then each annual review you'll look at the population, and if it's around that number then it will be reopened?

3 MR. WILLIS: Right. We do annual surveys
MS. MYERS: So you're looking for that 4,000
number before the consider reopening?

5 MR. WILLIS: Well, actually you could reopen
before that if the herd's on its way up. In fact you would
want to start harvesting before you reached that peak, you
know. You don't want to let them back to that level again if
you can help it. You want to start and slow down that growth
so you would start harvesting -- when the herd starts back up
you could probably have a limited hunt. You know, when it
passes 2,500 animals then you could have a limited hunt, and
not so much that you were keeping it down, but let it continue
to increase, and then gradually increase your hunting
opportunity until you can get to that 4,000 to 5,000 level.
And it may not be possible to stop it, you know, at that level.
You just don't know.

12 MS. MYERS: Can you give Gilda's people an
estimated, educated guess on how long that will take so that
he
13

14 MR. WILLIS: No.

15 MS. MYERS: can give them some future
hope so that
16

MR. WILLIS: I wish I could.

17 MS. MYERS: they don't think it's going
to be forever?

19 MR. WILLIS: I wish I could, Gilda, but my
crystal ball is not quite that clear. It depends on how fast
the range will come back, it depends on the weather, to some
degree,
20

21 MS. MYERS: In your experience can you make a
guess? It doesn't have to be -- we're not going to hold you to
the money, but can't you make a guess?
22

MR. WILLIS: As scientist I don't like to
guess. You understand what I'm saying? I work with
information, real data, and if I felt comfortable in making an
educated guess, I would, but I just don't feel comfortable

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Doing that.

2 MS. MYERS: Just give them hope -- you know,
five years, two years

3 MR. WILLIS: All I can say, they will come
back. I mean this is in the nature of caribous populations to
plummet and to climb again. And we see that in every caribou
herd in the state, and so unless they're shot out, they will
come back.

6 MS. MYERS: So you just can't say when.

7 MR. WILLIS: I'm sorry. I just can't say when.

8 MS. MYERS: It will be based on an annual
review?

10 MR. WILLIS: It will be looked at every year.
Surveys are run every year. That's how we've been able to
follow the decline, and I see no reason, Gilda, that the
meetings couldn't be held in the communities, and it was my
impression that meetings were being held prior to this time in
the communities. I don't know how many people you've talked to
and how many different communities, but the information
furnished to me by the Refuge staff was that they had been
holding meetings in these communities on a fairly regular basis
over a period of several years.

15 MS. SHELLIKOFF: Then it should be no problem
to have this added on to the proposal.

17 CHAIRMAN OLSEN: Just listening here, of course
it brings much question to my mind. You've answered a lot of
those as you spoke about, you know, how many square acres does
it take to sustain a caribou. Now since we can't have a
guesstimate of how quickly they will rebound, knowing that we
don't want to get up to those levels again that's going to
create the crash, isn't it fair to say that they can be
monitored on stability? In other words, once the decline -- it
shows no more decline then it's kind of reached a level that's
acceptable, that if they are no longer declining then certainly
they are on the incline. Certainly that would be a way of
looking at it to keep from reaching these high numbers that
nobody benefits from. I certainly think it's something to look
at. When your calving is good, it shows no more decline,
scientifically you would say they're on the rebound then.

25 MR. WILLIS: Yes, that's correct, and as I

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said, the 2,500 animal figure was developed as a point at which we felt that harvest should stop, and I am assuming that that would be the point at which you would think harvest would start up again, and we're down somewhere around 2,000 animals now. How many years it would take to come back, I can't say. But you definitely want to start your harvest before you reach the limit of what the range will stand. You know, right now with the range that's been damaged because there are too many animals there and it will take a while to recover. As it recovers it will support more and more animals, up to the four to 5,000 animal level. So that's why we run annual surveys, to keep track of these things.

7

CHAIRMAN OLSEN: It certainly is a tough one.

8

MS. MYERS: Mr. Chairman, I have a question for Robert. Is the remaining herd right now, are they in jeopardy of further decline because of the damage to the range, or is everything kind of looking with the spring coming up that the plants are going to re-establish themselves, or is this small population still in jeopardy?

12

MR. WILLIS: It's still in jeopardy to a degree, and as we said in our analysis, we can't say that even with the hunting season closed it won't continue to decline some more. We don't really know. But it depends to some degree on the weather. That's pretty harsh environment out there, and it takes a long time -- you know, plants grow -- they grow slowly, and it takes a long time for them to come back after they've been grazed down. So it

16

MS. MYERS: If it looks like they're in big, big trouble is there any program set up to assist with alfalfa or bail drops to the little starving animals that have their ribs sticking out, you know? Is there anything set up to keep the last few from starving?

19

MR. WILLIS: No, that's totally impractical. Even if you could haul something out there, their stomachs are -- have certain kind of bacteria in 'em to break down certain type of plants, and they can't eat alfalfa because they don't have the right micro-organisms in their stomach to help 'em break it down. So there's nothing you can haul out there.

23

MS. MYERS: I can see no -- is there any way for humans to help them out is my question.

24

MR. WILLIS: Other than not shooting them, this is pretty much beyond our control.

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1

MS. MYERS: Okay. That was my question. I just wondered if there was anything we could do to help fortify them.

3

CHAIRMAN OLSEN: Is there a known age group where reproduction has come to a halt or significantly slowed or is there -- I am looking at -- God forbid I should bring it up, but in the King crab season they always have an eight-inch season on the bigger crab that no longer reproduced, they give us a harvest guideline on those. Would that be any similar to the caribou?

7

MR. WILLIS: No, not really. Caribou are very productive animals throughout their lifespan. We have records of very old cows that are still producing calves.

9

CHAIRMAN OLSEN: Yes, Herman.

10

MR. SQUARTSOFF: Mr. Chairman. Yeah, Robert, you know, what got me pretty curious, too, now, you must have the data and stuff there, you know, what in the past, say maybe four years what the decline has been up to the present and stuff like that, how much, you know, they've been declining per year, has that slowed down or, you know, anything like that?

14

MR. WILLIS: Well, they had

15

MR. SQUARTSOFF: I'm really curious on that now.

16

MR. WILLIS: they had reached about 10,000 -- actually a little more than 10,000 by 1983, and over the next six years we lost about 6,000 animals down to 4,000 in 1989. The present estimate is less than 2,000, and

19

MR. SQUARTSOFF: But what I'm looking for

MR. WILLIS: let's see if I can break it down any finer than that.

21

CHAIRMAN OLSEN: The ratio

22

MR. WILLIS: Yeah. The mid-winter of 1993 there were 1,929 animals, and in June there's an area called the Black Hills where they congregate after calving season, and that's where we go to count after calving season, and there were fewer than 1,000 animals seen in that area, and so the total population then was estimated last summer to be no more than 2,000. So this is -- you're talking about a 10-year

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period they've gone from 10,000 to 2,000.

2 MR. SQUARTSOFF: Yeah, but I was kind of
curious to know if you can -- where you can go from just about
year to year, and that way you can almost kind of get the feel
if the decline is going to be dropping, you know, from let's
say 500 animals one year, 400 the next year or 200 the
following year or what. I mean is it following that type of
thing or is it going 500 at a whack each year or

6 MR. WILLIS: I don't know that you could plot
it that closely. I mean you could put it on a graph and, you
know, see how rapidly it goes down, but I'm not sure what that
would take as far as trying to figure out where it's going to
bottom out and where it's going to come back up.

9 MR. SQUARTSOFF: Yeah, 'cause you were
mentioning earlier you think it might -- when you get close to
where the decline is now, but then you don't know.

11 MR. WILLIS: No, I'm basing

12 MR. SQUARTSOFF: I mean how often do you guys
do surveys?

13 MR. WILLIS: Every year or twice a

14 MR. SQUARTSOFF: Once a year?

15 MR. WILLIS: No, twice a year, as I mentioned,
a mid-winter count and then a summer calving count, and then
there's incidental observations beyond that. When I said I
thought it had pretty close to bottomed out, that's because
you're looking at a range with a normal carrying capacity of
four to 5,000 animals, and there are less than 2,000, and so
there are going to be portions of that range that that herd is
not going to be using now. There aren't enough animals to
cover it all, and so it's going to start to come back. With
nothing grazing on it, it will start coming back. And the
animals will find that and they'll move to these better areas.
And that's why I say that I think it's probably close to
bottoming out. But that's an educated guess, best professional
judgment on my part.

23 CHAIRMAN OLSEN: It does kind of make me wonder
a little bit though. I mean even the Aleutians get new grass
every year. What would possibly keep the grass from growing
again?

25

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1 MR. WILLIS: Caribou are primarily lichen
feeders. Okay, they use a lot of different plants but not
2 necessary everything you see growing out there is not caribou
food, let me put it that way.

3

CHAIRMAN OLSEN: Robert Stovall.

4

MR. STOVALL: I was just curious. Do you have
5 any -- has the Refuge or the State initiated any habitat
studies at all?

6

MR. WILLIS: I believe so, Robert. I had a
7 very detailed report from the Isenbeck Refuge, but I don't
think I have it with me, and I'm not sure it was in final form.
8 I'm sorry, I don't have that with me.

9

MR. STOVALL: But they have been doing
something of that nature?

10

MR. WILLIS: There has been -- yeah, they have
11 been taking a look at the range and to what extent or how
extensive that is, I don't know.

12

MR. STOVALL: I can contact them and find out.
13 Thank you.

14

CHAIRMAN OLSEN: Just on the side, was it their
intent to take all the caribou off Hagemeister?

15

MR. WILLIS: Those were reindeer, first of all.
16 They were artificially introduced there, and, yes, they had
built up to the point where they had totally eliminated some
17 plants. I mean the plants simply were not there any more,
there were that many animals built up. And it was a dead-bang
18 sure thing that they were going to starve to death within the
next year or two, and that was the reason that that decision
19 was made.

20

CHAIRMAN OLSEN: Was it their intent to clear
the island totally?

21

MR. WILLIS: Right. I wasn't involved with
22 that operation, but that was the intent, yes.

23

MR. CHRISTENSEN: Mr. Chairman. I remember
that Gilda had an amendment to this proposal and I'd like to
24 see if we can get her amendment in some sort of words that I
think she was interested in. I'd like to look at that
25 amendment and see if we can get some discussion turned in that

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direction.

2 CHAIRMAN OLSEN: Certainly.

3 MR. CHRISTENSEN: Then maybe we can get the
Fish & Wildlife to agree on what our proposal is or the
Amendment is. If we can get something in words so that we can
all listen to it then.

5 MS. SHELLIKOFF: What I was suggesting is just
after the "No open season." Add also US Fish & Wildlife
Service work with False Pass, Nelson Lagoon, Cold Bay and
King Cove and have annual reviews with the communities
regarding the status of the South Alaska Peninsula Caribou
Herd.

9 CHAIRMAN OLSEN: I certainly don't think that's
asking too much.

10 MR. WILLIS: I have no problem whatever with
that. Certainly that can be put into the proposal. In fact in
writing the conclusion here we put in that the closure should
be maintained until such time as the declining trend is
reversed and caribou are once again available for subsistence
use. That was specifically to address the concerns that this
was a permanent closure, which it is not. It's only until such
time as the herd bottoms and starts up again and we can start
harvesting some of them. I don't think you can put anything in
the regulation itself, Gilda, other than no open season. Bill
can maybe address that. But it certainly be in the proposal.

16 MR. SQUARTSOFF: Mr. Chairman. I think what
she's getting at is, from what I heard her say earlier, you
know, meeting-wise she didn't see very many -- what she was
trying to say is that you guys work a little more closer with
these communities, and that kind of brings me back to September
that I brought up a time or two on, them having a liaison down
there in the communities, somebody in the community would be
there that helps and knows, you know, what's going on. You
guys can't make it in there, you know, there's somebody there
that knows what's going on with their herd or whatever, and
that kind of brings that back up to me to my mind. I think
you'll get more of an accurate thing of what's going on there
than the two or three surveys that you guys do. You know, you
can't make it in there, the person's there. That's the way I'm
understanding what she's talking about. You know, you guys can
get together with them more often on what's been happening is
what it sounds like. Correct me if I'm wrong, Gilda.

25

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1 MS. SHELLIKOFF: Yeah, that's right. That's
why we can put it in here and the people can see that and
they'll -- you know, I think some of that fear will permanently
close and go away.

3 MR. SQUARTSOFF: Mr. Chair.

4 CHAIRMAN OLSEN: Just one second. Gilda, was
that a motion that you had or was it?

6 MS. SHELLIKOFF: Yeah, I did one time but
nobody seconded it.

7 MR. SQUARTSOFF: Mr. Chair, I don't even really
think that we would have to do that, even if the staff or
something here put more letters out or something to the effect
of a statement that this is what's happening.

10 MS. SHELLIKOFF: But by putting something like
this in there, this would make sure they do what they say
they're going to do.

12 MR. SQUARTSOFF: That's a very good point, that
way, too. You've got a good point there.

13 CHAIRMAN OLSEN: They can feel more comfortable
that there is something being done to try to resurrect the
issue, I believe.

15 MR. TUTIAKOFF: I seconded it earlier. I guess
you didn't hear me, but I seconded that motion.

17 CHAIRMAN OLSEN: Right. I heard you second it,
but I wasn't sure if that was a proposal put in there. Well,
we've pretty much covered the discussion on this. Unless
anybody else has more discussion or anything that can be
addressed on this to make it clearer -- it's pretty clear to me
what your intentions are. Is there a

20 MR. SQUARTSOFF: Call for the question.

21 CHAIRMAN OLSEN: Question's been called. All
those in favor of the proposal or would you like this roll call
also?

23 MS. SHELLIKOFF: Are we voting on the amendment
the whole proposal? What are we doing?

25 MR. SQUARTSOFF: Mr. Chair, we'll have to do it

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like we did the last one, we'll vote on this right now and then we'll vote on the main one.

2

MS. SHELLIKOFF: We need to vote on the amendment.

CHAIRMAN OLSEN: We are voting on the amendment as stated. All those in favor?

5

IN UNISON: Aye.

6

CHAIRMAN OLSEN: Opposed? Hearing none, the amendment is unanimous.

MR. CHRISTENSEN: I move that we adopt the proposal as amended. That's what we do next, right?

9

CHAIRMAN OLSEN: On Proposal Number 28.

10

MR. CHRISTENSEN: On 28.

11

CHAIRMAN OLSEN: Is there a second to that?

12

MR. SQUARTSOFF: I'll second it.

13

MR. TUTIAKOFF: Question.

14

CHAIRMAN OLSEN: Question is being called. All those in favor?

16

IN UNISON: Aye.

17

MR. SQUARTSOFF: Roll call on this one.

18

MR. EVERITT: Do we have to take a roll call?

19

CHAIRMAN OLSEN: If someone calls for it we do.

20

MR. SQUARTSOFF: I think we would have to on a main proposal. We don't have to, okay. All right.

21

MR. EVERITT: You still want it, okay. Mark?

22

CHAIRMAN OLSEN: Yes.

23

MR. EVERITT: Vincent?

24

MR. TUTIAKOFF: Yes.

25

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1 MR. EVERITT: Myself. Aye. Herman?
2 MR. SQUARTSOFF: Yes.
3 MR. EVERITT: Gilda?
4 MS. SHELLIKOFF: Yes.
5 MR. EVERITT: Randy?
6 MR. CHRISTENSEN: Yes.
7 MR. EVERITT: Passes. I move that we close the
meeting till tomorrow -- recess.
8 CHAIRMAN OLSEN: Hearing that, we would like at
this time to recess this meeting to
9
10 MR. TUTIAKOFF: 8:00 o'clock.
11 CHAIRMAN OLSEN: 8:00 or 9:00?
12 (Indiscernible - simultaneous speech)
13 MS. EAKON: 8:30.
14 CHAIRMAN OLSEN: 9:00 o'clock. It kind of
sways to 9:00 o'clock. I would like to reconvene this meeting
at 9:00 o'clock tomorrow morning. Thank you.
15
16 COURT REPORTER: Off record.
17 (Off record - 4:53 p.m.)
18 (PROCEEDINGS TO BE CONTINUED)
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) ss.
STATE OF ALASKA)

I, Rebecca Nelms, Notary Public in and for the State of
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correct transcription of the proceedings, recorded by
Laurel L. Kehler-Evenson and thereafter transcribed by
Laurel L. Kehler-Evenson.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my seal this 16th day of February 1994.

Notary in and for Alaska
My commission expires: 10/20/94

R & R COURT REPORTERS

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